



AGENDA
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, JANUARY 4, 2016
7:00 PM

Pursuant to Section 610.022 RSMo, the Planning and Zoning Commission could, at any time during the meeting, vote to close the public meeting and move to closed session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under Section 610.021(1) RSMo. and/or personnel matters under Section 610.021(13) RSMo. and/or employee matters under Section 610.021(3) RSMo. and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.

Reports, documents, plans, and related materials are available for examination at the Creve Coeur Government Center, 300 North New Ballas Road, prior to the meeting.

Special disabled service may be arranged by contacting the Office of the City Administrator in advance.

CALL TO ORDER

ROLL CALL

Ms. Beth Kistner (Chair)
Mr. Tim Carney
Mr. James Faron
Ms. Muriel Hall
Mr. Ken Howard
Mr. Charles Pullium
Mr. Gene Rovak
Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, Director of Community Development
Ms. Whitney Kelly, City Planner
Ms. Deborah McLaughlin, Recording Secretary
Ms. Jessica Stutte, Planning Assistant

ACCEPTANCE OF THE AGENDA

APPROVAL OF MINUTES

1. December 21, 2015 Planning and Zoning Commission Meeting Minutes

PUBLIC COMMENT

An opportunity for members of the public to address the Planning and Zoning Commission regarding issues or concerns not already on the agenda for this meeting. Those wishing to speak will be asked to limit comments to three minutes and to complete a speaker card.

UNFINISHED BUSINESS

None

NEW BUSINESS

1. **Public Hearing. Application #15-033: Approval of an Amendment to the Conditional Use Permit for Anis Hyderabad House Indian Restaurant**

Anitha Koppara, of Anis LLC, submitted an application for an amendment to the conditional use permit for Anis Hyderabad House Indian Restaurant located at 12637 Olive Boulevard within the West Park Retail Center, for a 1,865 square foot expansion to the existing restaurant utilizing the tenant space addressed as 12639 Olive Boulevard to offer a full service dining area. Ordinance No. 5288 authorizing the original conditional use permit for 48 indoor seats, and Ordinance No. 5343 amended the permit to allow for 16 outdoor seats. This request will increase the number of seats to 113 indoor and 24 outdoor seats. All restaurants are a conditional use, with review by the Planning and Zoning Commission and approval by the City Council.

2. **Application #16-002: Site Development Plan Approval for the Vanguard Heights Monument Sign and for a New Transit Shelter with a Unique Design at 10360 Old Olive Street Road**

David Braswell, of Covington Realty Partners, submitted an application for the site development plan approval of a 39.73 square-foot, 12-foot tall monument sign for the Vanguard Heights Apartments at 10360 Old Olive Street Road and the adjacent Office Building at 10420 Old Olive Street Road. The application also seeks the approval of a new uniquely designed transit shelter to be placed along the Old Olive frontage in fulfillment of a condition of Ordinance No. 5340 that approved the rezoning of the properties and approval of the apartment complex under construction.

WORK AGENDA

None

DEPARTMENT REPORTS

1. Director of Community Development
2. City Attorney

ADJOURNMENT

Posted: _____

Jason W. Jaggi
Director of Community Development

PLANNING AND ZONING COMMISSION MEETING

Monday, December 21, 2015
6:00 P.M.

A public hearing and regular meeting of the Planning and Zoning Commission of the City of Creve Coeur, Missouri was held on Monday, December 21, 2015, at the Creve Coeur Government Center, 300 North New Ballas Road. Chairman Beth Kistner called the meeting to order at approximately 6:15 p.m.

MEMBERS PRESENT: Ms. Beth Kistner, Chair

Mr. Tim Carney

Mr. James Faron

Ms. Muriel Hall

Mr. Charles Pullium

Mr. Gene Rovak

OTHERS PRESENT: Mr. Carl Lumley, City Attorney

Mr. Jason Jaggi, Director of Community
Development

Ms. Jessica Stutte, Planning Assistant

Deborah McLaughlin, Recording Secretary

CALL TO ORDER

ROLL CALL

ACCEPTANCE OF THE AGENDA

All voted aye for acceptance.

APPROVAL OF MINUTES

1. Planning and Zoning Commission Meeting Minutes from Comprehensive Plan Workshop No. 2.

Mr. Carney moved for approval. Mr. Pullium seconded the motion. All indicated aye.

2. November 16, 2015 Planning and Zoning Commission Meeting Minutes.

Mr. Carney moved for approval. Mr. Pullium seconded the motion. All indicated aye.

PUBLIC COMMENT

None.

UNFINISHED BUSINESS

1. Application #14-022: Revised Site Development Plan Approval at the Shoppes at Westgate.

Mr. Jim Hall, Hall & Associates, 424 South Clay, Kirkwood, Missouri, was present on behalf of the owners and their current proposal for an amended partial site development plan for the properties located at 12410 and 12428 Olive Boulevard.

Mr. Hall indicated the changes that have been made to meet staff's approval.

Chairman Kistner indicated she thinks that the improvements have been much to the advantage of the site for both the business and for the customers who will come in.

Mr. Carney moved to approve the site development plans and landscape plans and authorizing a site coverage bonus, as bound together with Application 14-022, as presented to the Planning and Zoning Commission, subject to the conditions contained in the staff report of the meeting of December 21st, 2015. Mr. Rovak seconded the motion.

The resultant vote was as follows:

Mr. Carney-aye	Mr. Pullium-aye	Mr. Rovak-aye
Mr. Faron-aye	Chairman-aye	

NEW BUSINESS

1. PUBLIC HEARING. Application #15-033: Approval of an Amendment to the Conditional Use Permit for Anis Hyderabad House Indian Restaurant at 12637-12639 Olive Boulevard within the West Park Retail Center. Request to Continue to January 4, 2016 Meeting.

Mr. Rovak moved to continue Application #15-033 to January 4th, 2016. Mr. Pullium seconded the motion.

The resultant vote was as follows:

Mr. Pullium-aye	Mr. Rovak-aye	Mr. Faron-aye
Mr. Carney-aye	Chair-aye	

2. Application #15-034: Conditional Use Permit for the Crossings Church at 1265 N. Warson Road. Request to Table to the February 17, 2016 Meeting.

Mr. Rovak moved to table the request for Application No. 15-034. Mr. Carney seconded the motion.

The resultant vote was as follows:

Mr. Carney-aye	Mr. Faron-aye	Mr. Rovak-aye
Mr. Pullium-aye	Chair-aye	

3. Application #15-035: Site Development Plan Approval for Greenhouse Expansion for the Danforth Plant Science Center.

Mr. Howard Beittenmiller, Director of Facilities at the

Danforth Center, indicated they are putting in application tonight for the site development plan to expand a third greenhouse by four more usable houses on the east end. The greenhouse was finished in 2013; has nine grow houses and we would like to add four more to the east for an addition of about 6700 square feet of new greenhouse space.

Jason Jaggi indicated staff reviewed this project, and we don't think there's any concerns with it.

Architecturally, from the site standpoint, it matches the existing greenhouses on the campus. It's in a location that's not going to impact any adjacent residences. The site coverage is well below the maximum allowed of 60 percent of zoning district. With this addition, the campus is at 35 percent. And we don't have an issue with parking because it's really an accessory use to the main campus, so, overall, we didn't have very many concerns, and we did recommend approval as submitted.

Mr. Faron moved to recommend approval of the site development plan for the Danforth Science Center Greenhouse C addition submitted in Application No. 15-035 at the meeting of December 21st, 2015. Mr. Faron seconded the motion.

The resultant vote was as follows:

Mr. Pullium-aye	Mr. Rovak-aye	Mr. Faron-aye
Mr. Carney-aye	Chair-aye.	

4. PUBLIC HEARING. Application #15-036: For Master Sign Plan for the Danforth Plant Science Center Campus.

Mr. Beittenmiller indicated the Danforth Center is making application for a site master signage plan for the Danforth Center site, which now comprises two Danforth Center buildings and three greenhouses and the Bridge development on the north part of our site. Plan pretty much rounded out in the staff report.

Chairman Kistner inquired of Mr. Beittenmiller that there was some discussion by staff as far as eliminating one of the two proposed signs. Chairman Kistner asked if Mr. Beittenmiller was in favor of staff's conditions and recommendations, and Mr. Beittenmiller indicated that, yes, we are.

Mr. Jaggi indicated to the Commission that if they have any questions about our recommendation, I'd be happy to share with you.

But, essentially, the gist of that is right now there are two ground signs at the entrance off Warson. That's not very consistent with the City's Sign Code in general, which would only allow one. So talking with the folks over at the Danforth Center, when the new campus is

expanded to the north, an additional service drive is added at that time, we would recommend that that additional sign be relocated to the north entrance, so that only one sign is located to each entrance. And that north entrance is really viewed toward being a service drive or an employee-only drive. It's not a main entry point for the public to enter the campus. So it would deserve a smaller sign in that area, not unlike the sign that is there now that is a larger entry sign. So I think the folks there are agreeable to that.

And we also suggested that if that one sign, when it remains, that's to be enlarged by 10 square feet, so it can be utilized more effectively as a multi-tenant sign, so it can advertise both the Danforth Plant Center, as well as the Bridge Park. So that's the essence of our recommendations.

Mr. Lumley entered the exhibits into the record.

Mr. Faron moved to recommend approval of the master signage plan for the Danforth Plant Science Center campus submitted with Application No. 15-036, subject to the conditions contained in the draft ordinance attached to the staff report meeting of December 21st, 2015.

Mr. Pullium seconded the motion.

The resultant vote was as follows:

Mr. Carney-aye	Mr. Faron-aye	Mr. Rovak-aye
Mr. Pullium-aye	Chair-aye	

5. PUBLIC HEARING. Application #15-037: For a New Master Sign Plan for the City Place Campus.

Ms. Deanna Kuhlmann Leavitt indicated they are here tonight to get approval for the whole plan itself, but also six additions that are part of the plan. There's the campus ID, which we describe as kind of the main City Place, orienting people to the campus, and we're proposing adding a monument sign to the back of the campus.

Also, all of the buildings but one have signage on their facade, so we're proposing that they be given the ability to add one, so that all the buildings are consistent.

Mr. Jaggi indicated to the Commission that just to kind of give a little bit of background on this, the last time that the City Council and this Commission looked at a revision for the Master Sign Plan was a year or two ago, and at that time, the Board approved it. The last revision required that they come in and update the sign plan because it had been chopped apart, amended just to accommodate this particular user and so forth, to the point that it was pretty much

unworkable for staff to even work with it.

So I would congratulate them, applaud them for taking the initiative, and the new property owner, who this was a little bit of a surprise that this was even a condition of the ordinance, and really come up with a fairly good plan that we think is workable for the site.

And so we went into it with we got to clean up some of the retail signage requirements for the retail tenants. That was an issue that was brought up by the restaurant that came through the city back in the fall, late summer.

We thought that 10 square feet maximum for those side little wing walls, if you will, is reasonable. It's a facade that does face Olive, but yet we don't want that to become a big sign area, but have a smaller sign. And as long as it's understood that their total sign area, a portion of that would be allocated to that facade. We thought that was a fair approach to the issue, and they're showing that on their plan.

We also asked them to think longterm about what are some of the other signage needs, and they've identified four, primarily campus ID signs, which Deanna has explained as well tonight. So, by and large, we're supportive of this. In terms of the question on what would happen with the medical building, you're right, it's really not flushed out in this package that's before you this evening, but I think if the Commission understands it, maybe if we can work that in as another condition that it follow the same size that allocated to the other building, all the same style, that that could just be an amendment that's approved by staff that's consistent with the theme of the Master Design Plan.

If there's a way we could work that, I think that would be best for all parties, rather than coming back in here with a sign that should fit this plan anyway.

Mr. Lumley offered the exhibits into the record.

Mr. Rovak made a motion to add a condition that the signage for the future building, now designated as R07, follow the same general guidelines in terms of site location on the building and general design of the signs for the non-retail tenants as provided elsewhere in this application. Mr. Carney added to the motion, also subject to staff approval. Mr. Rovak further added, and not require further Planning and Zoning.

Mr. Lumley clarified this current motion would be to add that condition to the draft ordinance.

Mr. Pullium seconded the motion.

The resultant vote was as follows:

Mr. Pullium-aye	Mr. Rovak-aye	Mr. Faron-aye
Mr. Carney-aye	Ms. Hall-aye	Chair-aye

Mr. Faron moved to recommend approval of master signage plan for the City Place Campus as submitted in Application No. 15-037 subject to the conditions contained in the draft ordinance attached to the staff report for the meeting of December 21st, 2015, as amended.

Mr. Pullium seconded the motion.

The resultant vote was as follows:

Mr. Pullium-aye	Mr. Rovak-aye	Mr. Faron-aye
Ms. Hall-aye	Mr. Carney-aye	Chair-aye.

WORK AGENDA

1. Comprehensive Plan - Progress Update

Mr. Jaggi gave an update on the Comprehensive Plan and discussion was had.

DEPARTMENT REPORTS

1. Director of Community Development

Mr. Jaggi gave a brief update on some of the items for the January 4th meeting.

The American Optometric Association is proposing some site changes to actually bring that parking lot up to close to current standards. They've decided to do that in addition to the facade changes that are going on with the building. They're also going to propose some changes to the rear elevation, so that'll be coming forth on January 4th. In addition, the Vanguard project, the bus shelter and the monument sign applications will come before you on the 4th.

The continuation of the Anis Restaurant expansion and the conditional use permit should be ready for the 4th. And then we do have a sign proposed for the new subdivision Creekside at Mason. Again, their new monument entry sign.

Those are the four items we have, at this point, for January.

2. City Attorney.

None.

ADJOURNMENT:

Mr. Faron moved for adjournment. Mr. Rovak seconded the motion. All responded aye. Adjournment was at 7:26 p.m.

Beth Kistner, Chairman

Produced by: Deborah K. McLaughlin, Court Reporter



300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

**APPLICATION TO THE PLANNING AND ZONING COMMISSION
#15-033 APPROVAL OF AN AMENDMENT TO THE CONDITIONAL USE
PERMIT FOR ANIS HYDERABAD HOUSE INDIAN RESTAURANT**

FOR THE MEETING OF: January 4, 2016

LOCATION: 12637-12639 Olive Boulevard within the West Park Retail Center. The property is zoned "CB" Core Business

REQUEST: Anitha Koppara, of Anis LLC, submitted an application for an amendment to the conditional use permit for Anis Hyderabad House Indian Restaurant located at 12637 Olive Boulevard within the West Park Retail Center, for a 1,865 square foot expansion to the existing restaurant utilizing the tenant space addressed as 12639 Olive Boulevard to offer a full service dining area.

ADDITIONAL INFORMATION:

Ordinance No. 5288 authorizing the original conditional use permit for 48 indoor seats, and Ordinance No. 5343 amended the permit to allow for 16 outdoor seats. This request will increase the number of seats to 113 indoor and 24 outdoor seats. All restaurants are a conditional use, with review by the Planning and Zoning Commission and approval by the City Council. Staff prefers that all conditions related to the use remain within one ordinance. Therefore, Staff recommends a repeal and replacement of the prior ordinance.

Key Issues:

- Does the request integrate with the existing surrounding uses?
- Does the request further or implement the goals of the Comprehensive Plan?

Comp. Plan References

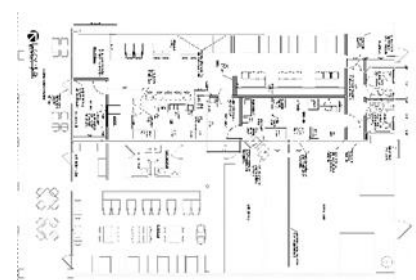
- West Olive Corridor Action Area

Zoning Code References

- Section 405.210: Regulation of Uses
- Section 405.370 "CB" Core Business District
- Section 405.470 Conditional Uses
- Section 405.820 Required Off-Street Parking Spaces

APPLICANT: Anitha Koppara
Anis, L.L.C.
1212 Cold Spring Drive
O'Fallon, MO 63368

PROPERTY OWNER: West Park Retail LLC
1610 Des Peres Road, Suite 320
St. Louis, MO 63141



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 12/14/2015
ATTACHMENTS: Applicant's Materials received
Draft Ordinance
Ordinance No. 5343

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Office Building	“CB” Core Business District	N/A
South	Hospital and Office Building	“PH” Planned Hospital District, “CB” Core Business District	Olive Boulevard
East	Supermarket, inline center	St. Louis County “C8”	Park Center Drive (east)
West	Retail and Office Building	“CB” Core Business District	Park Center Drive (west)

COMPREHENSIVE PLAN REVIEW

The subject property is located within the West Olive Corridor that encourages a high-quality, contained business area that connects with and coexists in a compatible fashion with adjacent single-family neighborhoods. The proposed use is integrated into the existing facility, with no modification to the exterior of the building or site. Since there are no known concerns with the existing development, it appears that the request meets with the Goals and Objectives of the Comprehensive Plan.

ZONING REVIEW

Restaurants are permitted with conditions in all commercial zoning districts within the city, and the applicant is leasing an existing tenant space within the West Park Retail Center that has a mix of retail businesses, therefore no site development plan review is necessary.

Parking

Parking regulations for restaurants are discussed under Section 405.820(F)(5) Required Off-Street Parking Spaces: “One (1) parking space per every three (3) seats of maximum occupancy recorded under the conditional use permit plus one (1) parking space per every two hundred fifty (250) square feet of total building floor area plus one (1) parking space per each eight (8) seats in an outdoor seating area.” Based on this regulation, the proposed business is required to provide at least 58 parking spaces. The following table shows the parking calculations for the entire center:

Tenant	Use	Size (sq.ft.)	Parking Regulations	# of spaces
Vacant (former Gas House Grill)	restaurant	3,281(+144 indoor seats + 32 outdoor seats)	1 per 3 seats in C.U.P. + 1/250 sf + 1 per 8 patio seats	66
Anis Indian Restaurant	restaurant	2,368+ new 1,865= 4,233(+113 indoor seats, 24 outdoor seats)	1 per 3 seats in C.U.P. + 1/250 sf + 1 per 8 patio seats	58
QT Care	medical	1,450	4/1000	6
West Park Cleaners	retail	1,500	4/1000	6
Studio Branca	retail	5,578	4/1000	23
Painting with a Twist	retail	1,922	4/1000	8

Functional Elements	Fitness Studio	1,840	4/1000	8
Pastries of Denmark	retail	2,315 (+47 indoor seats + 24 outdoor seats)	1 per 3 seats in C.U.P. + 1/250 sf + 1 per 8 patio seats	28
Dental Office	medical	1,618	4/1000	7
Dyson	retail	1,791	4/1000	8
Total Building:		22,247	Total	218
			15% Reduction	-32.7
			Total Required:	186

Also sharing the parking lot with the inline retail center is Advance Vision that is located in the freestanding building fronting Olive Boulevard (12601 Olive Boulevard). The parking regulations allow a reduction in their floor area of 8,400 square feet to 85% for a medical office of this size, before applying the 4 sp./1000 sq. ft. multiplier for an additional parking requirement of 29 spaces. This brings the total parking demand for the lot between these buildings to 215 parking spaces. The total parking provided for these two buildings are 201 spaces. The Center has a shared parking agreement allowing users of these two facilities to park on the lot the west that is shared with Buffalo Wild Wings and the West Park 1 office building behind the retail center, should additional parking become necessary, thus the parking requirements are met.

RECOMMENDATION

Based on the above analysis, the request for a conditional use permit meets all of the requirements of the Comprehensive Plan and Zoning Ordinance. The prior ordinance accomplished a repeal of prior conditional use permit, therefore the only change to the ordinance is to indicate the number of outdoors seats emphasized below. Listed below are the standard general conditions for restaurants, which are included in the draft ordinance:

1. The conditional use permit shall be for the operation of a 4,233 square-foot eating and drinking establishment at 12637-12639 Olive Boulevard.
2. Maximum seating permitted is limited to 113 seats for indoor dining, and 24 seats for outdoor dining. A minimum four foot wide, unobstructed and clear pedestrian path must be maintained at all times if outdoor seating is placed adjacent to the building.
3. Hours of operation shall not exceed 11:00 am to 10:00 pm Monday through Sunday. Additional business hours may be permitted with the Zoning Administrator's approval, including, but not limited to, the catering of special events.
4. Employee parking, delivery and company vehicles shall be parked behind the building or as far from the public right-of-way as possible.
5. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.

ACTION AND MOTION

If the Planning and Zoning Commission finds the attached draft conditional use permit ordinance to be in conformance with the purposes and regulations of the Comprehensive Plan and Zoning Code, it should vote on a recommendation to the City Council. Any changes to the draft

ordinance should be discussed and made by separate actions. The following is an example of an appropriate motion for this application:

“I move to recommend approval of Application #15-033 to repeal and replace the conditional use permit for Anis Hyderabad House Indian Restaurant located at 12637-12639 Olive Boulevard subject to the conditions contained in the draft ordinance prepared for the meeting of January 4, 2016” (conditions may be added, eliminated, or modified by preceding motion).

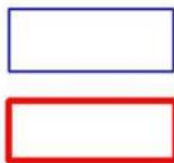
APPENDIX 1: COMPREHENSIVE PLAN

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

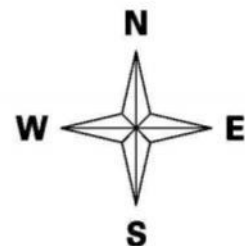
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL PHOTO



Property lines

West Park retail center



APPENDIX 4: SITE PHOTOGRAPHS

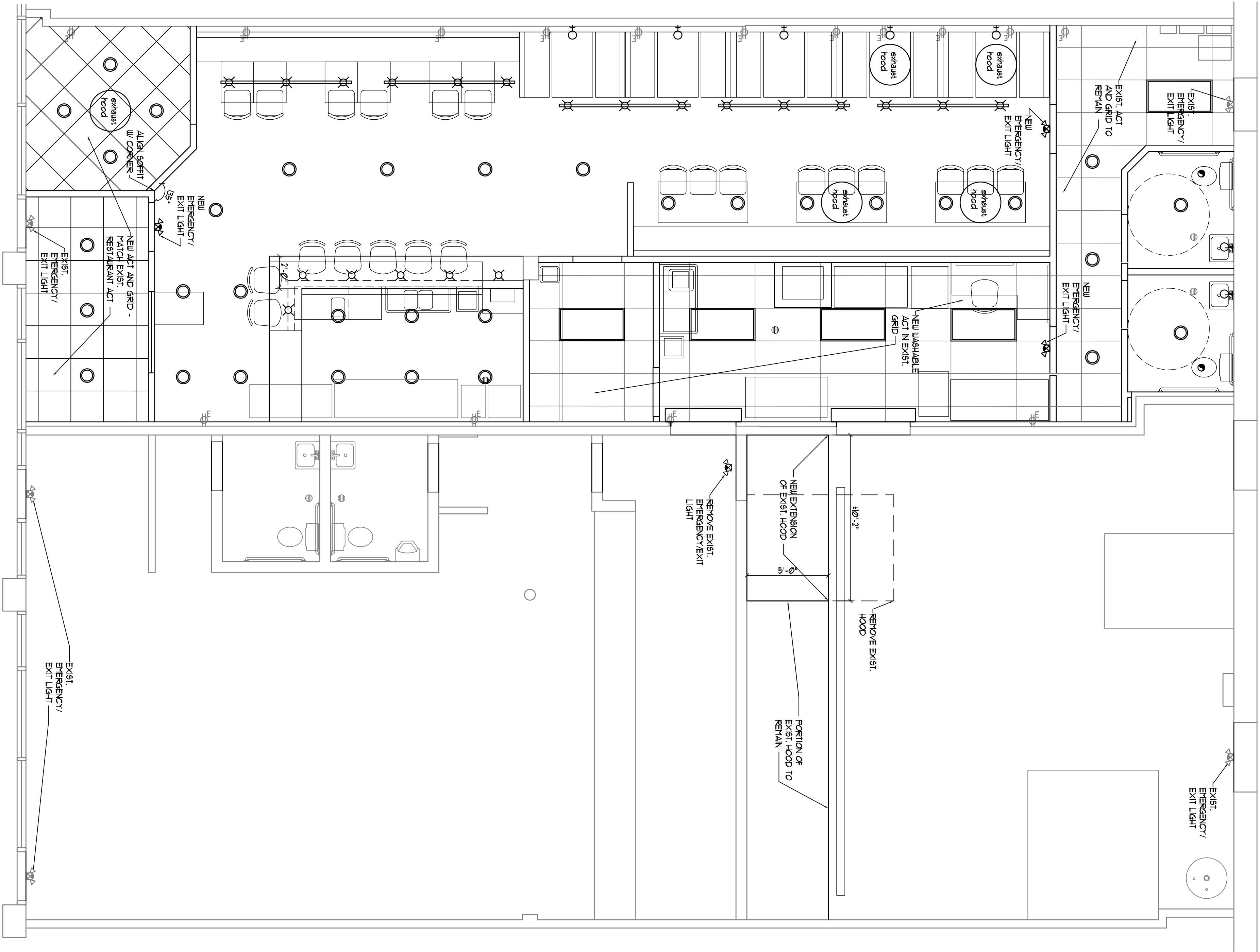
Photo Date: 12-14-2015 and 12-29-2015



Description: view of the existing Anis Hyderabad House location and the vacant adjacent space under consideration for expansion.

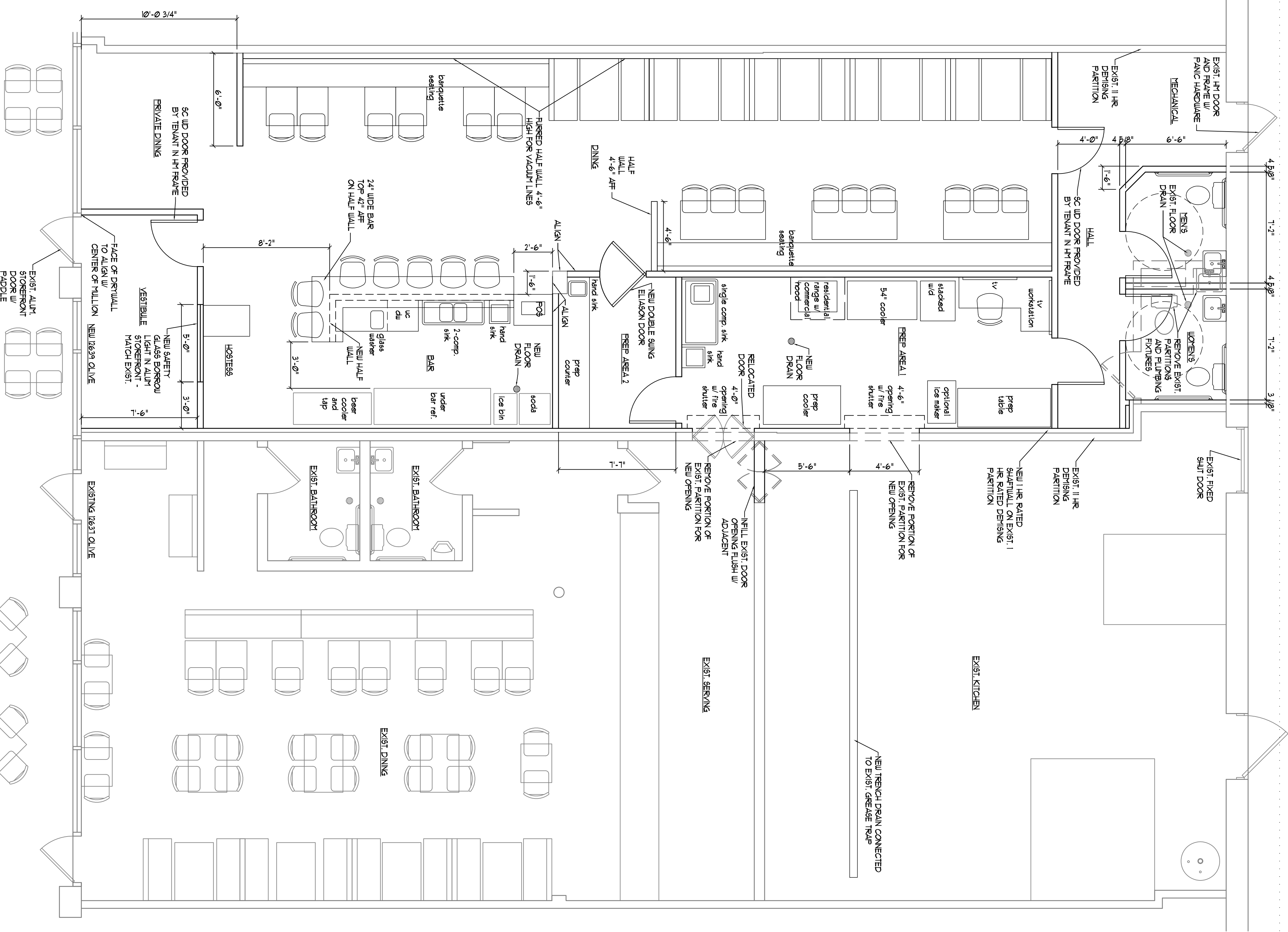


Description: View looking north from Olive Boulevard at the tenant space in the background.



REFLECTED CEILING PLAN

SCALE: 1/4" = 1'-0"



FLOOR PLAN

SCALE: 1/4" = 1'-0"

plans

RESTAURANT EXPANSION FOR:
ANIS HYDERABAD HOUSE
11637-39 OLIVE BOULEVARD
CREVE COEUR, MISSOURI 63141

LEVINE
associates

architecture · interiors · planning

8630 Delmar Boulevard, Suite 220
Saint Louis, Missouri 63124
Phone 314-991-5600 Fax 314-991-4420

REVISIONS		
NO.	DATE	ITEM
1		
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10		

SHEET NO.

A-1

ISSUE DATE: 11-5-15
PROJECT #: 156301
DRN, CHG CHK, APL



city
of

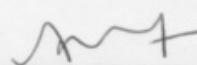
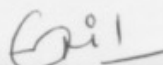
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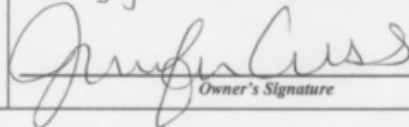
PLANNING DIVISION

300 North New Ballas Road Creve Coeur, Missouri 63141
Tel. (314) 872-2501 • Fax (314) 872-2505

PLANNING AND ZONING COMMISSION AGENDA APPLICATION

PLEASE COMPLETE FRONT AND BACK PAGES

Applicant:	Applicant's Representative (if applicable):
<u>ANITHA KOPPARA</u> Name <u>ANIS LLC</u> Company (If Applicable) <u>12637 & 12639 OLIVE BLVD</u> Address <u>CREVE COEUR, MO. 63141</u> Address Telephone # <u>614 787 2567</u> Fax # _____ Email: <u>koppara.anitha@gmail.com</u>  Applicant's Signature	<u>ANIL K JUKANTI</u> Name _____ Company (If Applicable) <u>735 Savannah crossing way</u> Address <u>Town & Country, MO. 63017.</u> Address Telephone # <u>614 787 2564</u> Fax # _____ Email: <u>anik-jukanti@yahoo.com</u>  Applicant's Representative's Signature

Property Information:	Owner's Acknowledgement (if different from applicant):
<u>12601-12645 Olive Blvd.</u> Address <u>St. Louis, mo 63141</u> Address <u>West Park Retail</u> Development Name (if any) <u>Commercial</u> Current Zoning _____ Prior CUP Approvals (if known)	<u>West Park Retail, LLC.</u> Name _____ Company (If Applicable) <u>231 S. Bemiston Ave., Suite 650</u> Address <u>St. Louis, MO 63105</u> Address Telephone # <u>314-509-5000</u> Fax # <u>314-509-5059</u> Email: <u>jgross@altusproperties.com</u>  Owner's Signature

Attachment: 12639Olive_CUP1 (1698 : #15-033 Anis Hyderabad House Indian Restaurant)

Description of Requested Use (attach additional sheets as needed)

General Description of Business: we would like to expand our business, by adding fine dining and live grill at the table for the customers at 12639 Olive Blvd, Creve Coeur, MO. 63141.

Gross Floor Area – Existing and Proposed: 2369 (Existing) + 1865 (New) = 4233.

Number of Seats (for restaurant only): 65 indoor + 8 outdoor = 73.

Number of Employees at the busiest shift: 3

Hours of Operation: 11:00 AM to 9:30 PM (M-S) Sunday 11:00 AM to 9:00 PM

Current or Most Recent Use of the Property: Restaurant

Will the applicant apply for a liquor license: Yes ✓ No

Rationale

Please describe in detail, on an attached sheet, the reasons why you believe the request for a conditional use permit should be approved and what steps are being taken to lessen any impacts on surrounding residences and businesses. An explanation of the building and landscape designs (if changes are proposed) should also be included.

Submittal Checklist

- | | |
|---|---|
| ☐ Rationale | ☐ Building elevations for new construction |
| ☒ Site plan | ☐ Photographs of existing structures |
| ☐ Access and parking plan; (may be shown on site plan) | ☐ Materials samples |
| ☐ Landscape plan | ☐ Legal Description in Word format |
| ☒ Floor plan | ☒ Fees: \$250 (non-refundable) |
| ☐ Electronic copies of all materials | \$2000 (refundable deposit) |
| | ☐ Other items as requested by staff |

Preferred Public Hearing Date: Monday, _____, 20____.

****See attached schedule and confirm available meeting dates with Planning Division staff****

Office Use Only

____ All Sections Complete
 ____ All Documents, incl. e-Copies
 ____ Fees Paid

Received By: _____

Date: _____

Paul Langdon, AICP, Planning Director
 Whitney Kelly, AICP, City Planner
 Jessica Stutte, Administrative Assistant (314-872-2501)

Revised: 3/15

EXHIBIT A**Site Plan of Premises**

The Premises are depicted in red below and are shown as consisting of 2,368 square feet.



BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE REPEALING CONDITIONAL USE PERMIT ORDINANCE 5343
AND AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR
A 4,233 SQUARE-FOOT RESTAURANT LOCATED AT 12637-12639 OLIVE
BOULEVARD WITHIN THE WEST PARK CENTER**

WHEREAS, under Section 405.210 Table A, all restaurants in the “CB” Core Business zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, an application was submitted by Anitha Koppara of Anis, L.L.C., for an amendment to the conditional use permit for Anis Hyderabad House Indian Restaurant located at 12637 Olive Boulevard within the West Park Retail Center, for a 1,865 square foot expansion to the existing restaurant utilizing the tenant space addressed as 12639 Olive Boulevard to offer a full service dining area that increases the number of seats to 113 indoor and 24 outdoor seats; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, January 4, 2016, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

WHEREAS, notice of publication for said public hearing had been previously published at least 15 days prior to the hearing, in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a _____ vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on January 4, 2016; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Will contribute to and promote the community welfare and convenience at the specific location.
2. Will not cause substantial injury to the value of neighboring property.
3. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation therefrom.
4. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, St. Louis County, Missouri, as follows:

BILL NO. _____

ORDINANCE NO. _____

Section 1: Ordinance Number 5343 is hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a restaurant located at 12637-12639 Olive Boulevard, in the "CB" Core Business zoning district, within the West Park Center, whose legal description is as follows:

Parcel No. 1:

Lots 1B and Lot 2 of the "Final Subdivision Plat of West Park Center-East", a subdivision in the County of St. Louis, Missouri, according to the plat thereof recorded in Plat Book 350 page 460 of the St. Louis County Records.

Parcel No 2:

The non-exclusive rights and easements for private drives and utility easements appurtenant to and for the benefit of the above described Parcel 1 created and established by the West Park Easement and Dedication Plat (the "1987 Plat"), executed by Broken Heart Venture, a Missouri limited partnership ("BHV"), on January 22, 1987, filed for record January 26, 1987 in the Office of the Recorder of Deeds in and for St. Louis county, Missouri, (the "Office of the Recorder of Deeds") in Plat Book 257, page 33, as amended by: (1) the First Amendment to the West Park Easement and Dedication Plat (the "First Amendment") executed by BHV on January 12, 1988 and filed for record January 19, 1988 in Book 8258, page 2158 in the Office of the Recorder of Deeds; and (2) the Second Amendment to West Park easement and Dedication Plat Re St. Louis County Water Company (the "second Amendment") executed by BHV on February 18, 1988 and filed for record February 19, 1988 in book 8271, page 1965 in the office of the Recorder of Deeds (the 1987 Plat, the First Amendment and the Second Amendment are hereinafter collectively called the "1987 Plat") over those portions of the real property described in the 1987 Plat (the "West Park Property") designated therein as Center Park Drive and other Drives, expressly including that part of Road "C" lying outside of the boundaries of Parcel 1 described herein above.

Parcel No. 3:

The perpetual, non-exclusive rights and easements appurtenant to and for the benefit of the above described Parcel 1, created and granted by the Easement Declaration (the "Easement Declaration") dated March 19, 1987, executed by the First National Bank of Chicago, not personally, but as Trustee of the First National Bank of Chicago Group Trust for Pension and Profit Sharing Trust, Institutional Real Estate Fund ("F") under Declaration of Trust dated December 1, 1982, as amended, filed for record May 7, 1987 in the Office of Recorder of Deeds in Book 8119, page 1598, including, but not by way of limitation:

(I) The non-exclusive rights and easements for the discharge of storm and surface waters from Parcel 1;

(II) The non-exclusive rights and easements for access, ingress and egress to install, maintain, repair, replace and remove drainage facilities necessary for the discharge of storm and surface waters from Parcel 1, as aforesaid; over those portions of the real property more particularly described on Whispering Hills Plat Four, filed for record in the Office of the Recorder of Deeds in Plat Book 123, page 23, delineated by cross hatching on Exhibit B to the Easement Declaration.

BILL NO. _____

ORDINANCE NO. _____

Parcel No. 4:

The non-exclusive rights and easements appurtenant to and for the benefit of the above described parcel 1, in accordance with and upon the terms and conditions of the Restated Declaration of Covenants, Easements and Restrictions (the "1996 Declaration") dated as of March 15, 1996 executed by and among AMC Realty, Inc., Olive-Mason, L.P. and John Hancock Mutual Life Insurance Company, filed for record March 27, 1996 in the Office of the Recorder of Deeds in Book 10780, page 197, including, but not by way of limitation;

(i) The non-exclusive rights and easements for various parking areas, unobstructed access to public streets and unobstructed pedestrian and vehicular passage over those portions of the common Area, as defined therein.

(ii) The non-exclusive rights and easements for storm sewers, a single sanitary sewer and water lines, over, under and through portions of West Park Property, as defined therein.

(iii) The non-exclusive rights and easements for the construction, maintenance and use of all apparatus necessary to provide utility services to the above described Parcel 1, including but not by way of limitation, telephone, electricity, natural gas, cable television, water, storm and sanitary sewers, and above ground and underground storm water drainage outlets to retention basins, over, under, and through all or any portion of the common Area as defined therein.

(iv) The non-exclusive rights and easements for the temporary occupation of all or any part of the West Park Property in order to facilitate the construction and/or maintenance of the improvements located thereon, as defined therein.

Parcel No. 5:

The perpetual, non-exclusive rights and easements appurtenant to and for the benefit of the above described Parcel 1, created and granted by the Reciprocal easement, Joint Use, Construction and Maintenance Agreement (the "REA") dated January 25, 1989, by and between Broken Heart Venture, L.P., a Missouri limited partnership, and Mary Partnership, L.P., a Missouri limited partnership, filed for record February 13, 1989 in the Office of the Recorder of Deeds in Book 8461, page 1189, for the construction, inspections, use, maintenance, replacement and repair of a roadway and median in and across the real property more particularly described and defined therein, together with

(I) The temporary non-exclusive rights and easements for the construction and maintenance of said roadway and median appurtenant to and for the benefit of the above described Parcel 1, created and granted by the REA over those portions of real property necessary for the construction and maintenance of said roadway and median, as defined therein.

Section 3: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The conditional use permit shall be for the operation of a 4,233 square-foot eating and drinking establishment at 12637-12639 Olive Boulevard.
2. Maximum seating permitted is limited to 113 seats for indoor dining, and 24 seats for outdoor dining. A minimum four foot wide, unobstructed and clear pedestrian path must be maintained at all times if outdoor seating is placed adjacent to the building.
3. Hours of operation shall not exceed 11:00 am to 10:00 pm Monday through Sunday. Additional business hours may be permitted with the Zoning Administrator's approval, including, but not limited to, the catering of special events.

BILL NO. _____

ORDINANCE NO. _____

4. Employee parking, delivery and company vehicles shall be parked behind the building or as far from the public right-of-way as possible.
5. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
6. The restaurant shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.
7. Any mechanical equipment installed for the site shall be properly screened with approved materials.
8. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
9. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
10. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
11. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 4: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 3 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 5: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2016.

DAVID KREUTER
PRESIDENT OF CITY COUNCIL

BILL NO. _____

ORDINANCE NO. _____

APPROVED THIS ____ DAY OF _____, 2016.

BARRY GLANTZ
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK

BILL NO. 5460ORDINANCE NO. 5343

**AN ORDINANCE REPEALING CONDITIONAL USE PERMIT ORDINANCE 5288
AND AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR
A 2,368 SQUARE-FOOT RESTAURANT LOCATED AT 12637 OLIVE BOULEVARD
WITHIN THE WEST PARK CENTER**

WHEREAS, under Section 405.210 Table A, all restaurants in the "CB" Core Business zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, an application was submitted by Anitha Koppara of Anis, L.L.C., to amend the prior conditional use permit for a 2,368 square-foot, 48-seat, restaurant at 12637 Olive Boulevard within the West Park Center to include 16 outdoor dining seats; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, November 18, 2013, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

WHEREAS, notice of publication for said public hearing had been previously published at least 15 days prior to the hearing, in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a 5-0 vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on November 18, 2013; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the Council approved consideration and passage of this ordinance as an emergency measure on the day of its introduction due to the Council's cancellation of its next regular meeting, and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Will contribute to and promote the community welfare and convenience at the specific location.
2. Will not cause substantial injury to the value of neighboring property.
3. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation therefrom.
4. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, St. Louis County, Missouri, as follows:

BILL NO. 5460ORDINANCE NO. 5343

Section 1: Ordinance Numbers 1470 and 5288 are hereby repealed.

Section 2: A Conditional Use Permit is authorized to be issued pursuant to Section 4 hereof for the operation of a restaurant located at 12637 Olive Boulevard, in the "CB" Core Business zoning district, within the West Park Center, whose legal description is as follows:

Parcel No. 1:

Lots 1B and Lot 2 of the "Final Subdivision Plat of West Park Center-East", a subdivision in the County of St. Louis, Missouri, according to the plat thereof recorded in Plat Book 350 page 460 of the St. Louis County Records.

Parcel No 2:

The non-exclusive rights and easements for private drives and utility easements appurtenant to and for the benefit of the above described Parcel 1 created and established by the West Park Easement and Dedication Plat (the "1987 Plat"), executed by Broken Heart Venture, a Missouri limited partnership ("BHV"), on January 22, 1987, filed for record January 26, 1987 in the Office of the Recorder of Deeds in and for St. Louis county, Missouri, (the "Office of the Recorder of Deeds") in Plat Book 257, page 33, as amended by: (1) the First Amendment to the West Park Easement and Dedication Plat (the "First Amendment") executed by BHV on January 12, 1988 and filed for record January 19, 1988 in Book 8258, page 2158 in the Office of the Recorder of Deeds; and (2) the Second Amendment to West Park easement and Dedication Plat Re St. Louis County Water Company (the "second Amendment") executed by BHV on February 18, 1988 and filed for record February 19, 1988 in book 8271, page 1965 in the office of the Recorder of Deeds (the 1987 Plat, the First Amendment and the Second Amendment are hereinafter collectively called the "1987 Plat") over those portions of the real property described in the 1987 Plat (the "West Park Property") designated therein as Center Park Drive and other Drives, expressly including that part of Road "C" lying outside of the boundaries of Parcel 1 described herein above.

Parcel No. 3:

The perpetual, non-exclusive rights and easements appurtenant to and for the benefit of the above described Parcel 1, created and granted by the Easement Declaration (the "Easement Declaration") dated March 19, 1987, executed by the First National Bank of Chicago, not personally, but as Trustee of the First National Bank of Chicago Group Trust for Pension and Profit Sharing Trust, Institutional Real Estate Fund ("F") under Declaration of Trust dated December 1, 1982, as amended, filed for record May 7, 1987 in the Office of Recorder of Deeds in Book 8119, page 1598, including, but not by way of limitation:

- (I) The non-exclusive rights and easements for the discharge of storm and surface waters from Parcel 1;
- (II) The non-exclusive rights and easements for access, ingress and egress to install, maintain, repair, replace and remove drainage facilities necessary for the discharge of storm and surface waters from Parcel 1, as aforesaid; over those portions of the real property more particularly described on Whispering Hills Plat Four, filed for record in the Office of the Recorder of Deeds in Plat Book 123, page 23, delineated by cross hatching on Exhibit B to the Easement Declaration.

Parcel No. 4:

The non-exclusive rights and easements appurtenant to and for the benefit of the above described parcel 1, in accordance with and upon the terms and conditions of the Restated Declaration of Covenants, Easements and Restrictions (the "1996

BILL NO. 5460ORDINANCE NO. 5343

Declaration") dated as of March 15, 1996 executed by and among AMC Realty, Inc., Olive-Mason, L.P. and John Hancock Mutual Life Insurance Company, filed for record March 27, 1996 in the Office of the Recorder of Deeds in Book 10780, page 197, including, but not by way of limitation;

(i) The non-exclusive rights and easements for various parking areas, unobstructed access to public streets and unobstructed pedestrian and vehicular passage over those portions of the common Area, as defined therein.

(ii) The non-exclusive rights and easements for storm sewers, a single sanitary sewer and water lines, over, under and through portions of West Park Property, as defined therein.

(iii) The non-exclusive rights and easements for the construction, maintenance and use of all apparatus necessary to provide utility services to the above described Parcel 1, including but not by way of limitation, telephone, electricity, natural gas, cable television, water, storm and sanitary sewers, and above ground and underground storm water drainage outlets to retention basins, over, under, and through all or any portion of the common Area as defined therein.

(iv) The non-exclusive rights and easements for the temporary occupation of all or any part of the West Park Property in order to facilitate the construction and/or maintenance of the improvements located thereon, as defined therein.

Parcel No. 5:

The perpetual, non-exclusive rights and easements appurtenant to and for the benefit of the above described Parcel 1, created and granted by the Reciprocal easement, Joint Use, Construction and Maintenance Agreement (the "REA") dated January 25, 1989, by and between Broken Heart Venture, L.P., a Missouri limited partnership, and Mary Partnership, L.P., a Missouri limited partnership, filed for record February 13, 1989 in the Office of the Recorder of Deeds in Book 8461, page 1189, for the construction, inspections, use, maintenance, replacement and repair of a roadway and median in and across the real property more particularly described and defined therein, together with

(I) The temporary non-exclusive rights and easements for the construction and maintenance of said roadway and median appurtenant to and for the benefit of the above described Parcel 1, created and granted by the REA over those portions of real property necessary for the construction and maintenance of said roadway and median, as defined therein.

Section 3: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The conditional use permit shall be for the operation of 2,368 square-foot eating and drinking establishment at 12637 Olive Boulevard.
2. Maximum seating permitted is limited to 48 seats for indoor dining, and 16 seats for outdoor dining. A minimum four foot wide, unobstructed and clear pedestrian path must be maintained at all times if outdoor seating is placed adjacent to the building.
3. Hours of operation shall not exceed 11:00 am to 10:00 pm Monday through Sunday. Additional business hours may be permitted with the Zoning Administrator's approval, including, but not limited to, the catering of special events.
4. Employee parking, delivery and company vehicles shall be parked behind the building or as far from the public right-of-way as possible.
5. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code.
6. The restaurant shall use a tempered makeup air system. Such system shall be regularly cleaned and maintained in order to reduce cooking smells.

BILL NO. 5460ORDINANCE NO. 5343

7. Any mechanical equipment installed for the site shall be properly screened with approved materials.
8. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
9. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
10. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
11. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 4: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 2 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 5: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS 9th DAY OF December, 2013.


SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS 9th DAY OF December, 2013.


BARRY GLANTZ, MAYOR

ATTEST:


DEBORAH RYAN, CITY CLERK

Attachment: Ordinance No. 5343 (1698 : #15-033 Anis Hyderabad House Indian Restaurant)



300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

**APPLICATION TO PLANNING AND ZONING COMMISSION
#16-002 FOR THE SITE DEVELOPMENT PLAN APPROVAL FOR THE
VANGUARD HEIGHTS MONUMENT SIGN AND
FOR A NEW TRANSIT SHELTER WITH A UNIQUE DESIGN AT
10360 OLD OLIVE STREET ROAD**

FOR THE MEETING OF: January 4, 2016

LOCATION: 10360 Old Olive Street Road, zoned CB Core Business District.

REQUEST: David Braswell, of Covington Realty Partners, submitted an application for the site development plan approval of a 39.73 square-foot, 12-foot tall monument sign for the Vanguard Heights Apartments at 10360 Old Olive Street Road and the adjacent Office Building at 10420 Old Olive Street Road. The application also seeks the approval of a new uniquely designed transit shelter to be placed along the Old Olive frontage in fulfillment of a condition of Ordinance No. 5340 that approved the rezoning of the properties and the apartment complex under construction.

ADDITIONAL INFORMATION: Section 405.950 of the City's Sign Regulations allows a project or development with a site area of more than five acres to seek approval of such a sign, subject to certain requirements, with review of a minor site development plan by the Planning and Zoning Commission in accordance with Section 405.1080. The proposed location of the sign is along Olive Boulevard. The project area is 5.26 acres.

Key Issues:

- Does the request integrate with the existing surrounding uses?
- Does the request meet the requirements of the Sign Regulations?
- Does the Shelter fulfill the purpose of the condition of Ordinance No.5340?

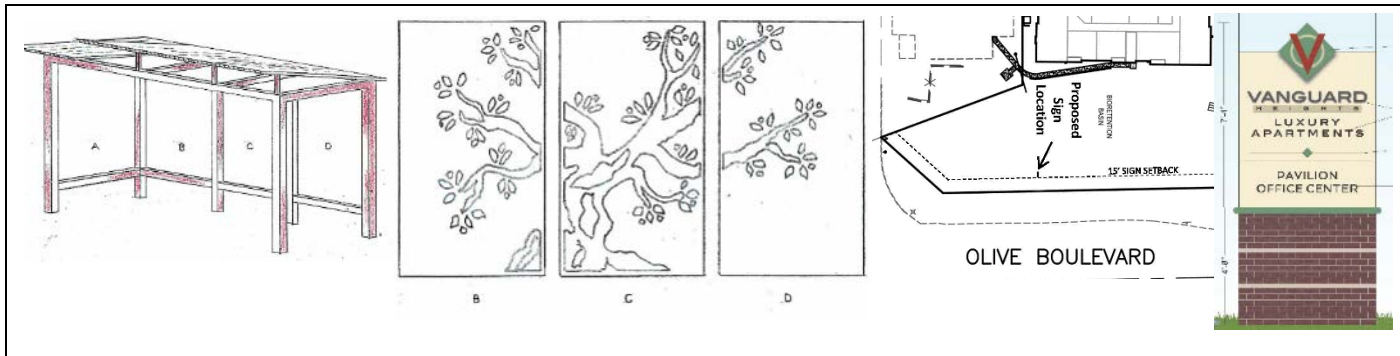
Comprehensive Plan References

- Commerce Center Action Area
- Design Guidelines

Zoning Code References

- Section 405.950: Signs in Non-Residential Districts
- Section 405.1080. Site Concept, Site Development and Minor Site Plan Approval.

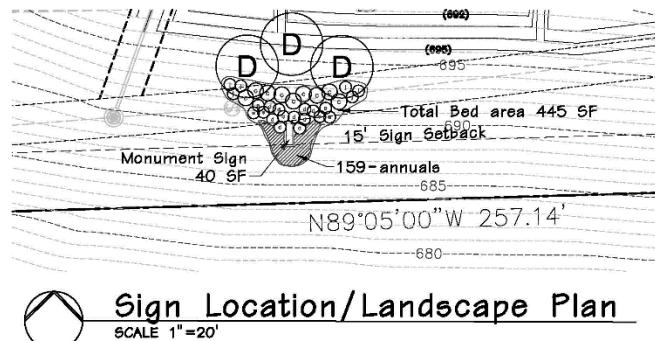
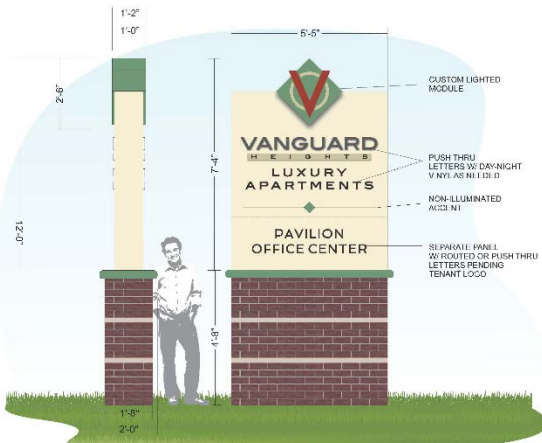
APPLICANT: David Braswell
Covington Realty Partners
135 N. Meramec Ave, Suite 500
St. Louis, MO 63105



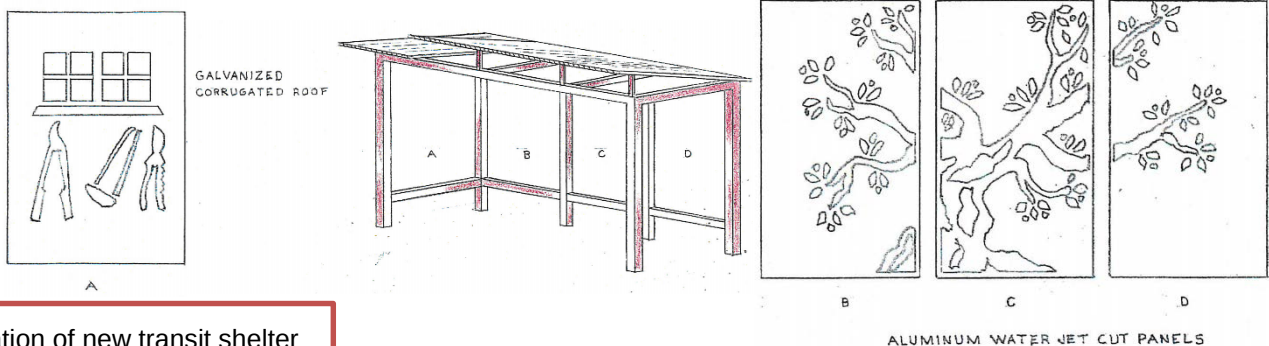
REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 12/29/2015
ATTACHMENTS: Applicant's Monument Sign Materials submitted December 2, 2015
Applicant's Transit Shelter Design submitted on December 2, 2015
Ordinance No. 5340

PROPOSAL

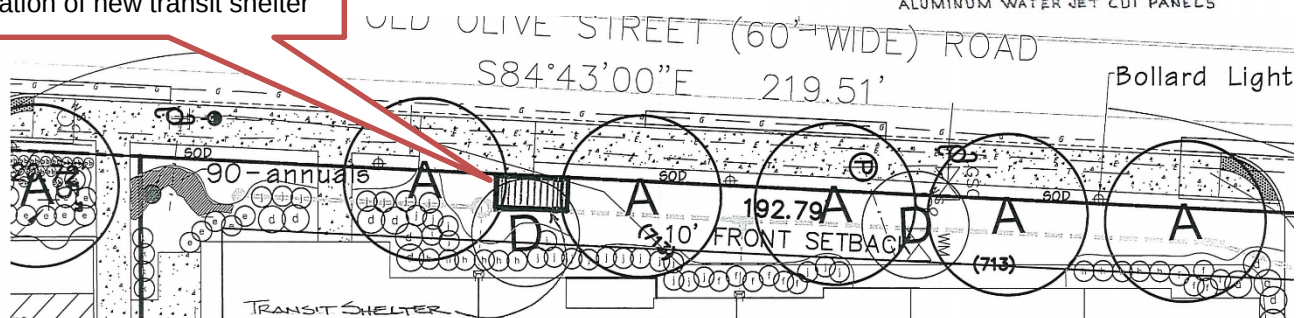
The Applicant is seeking approval of the site development plan for a new monument sign for the new apartment building under construction and the adjacent office building to the west. The overall sign is designed to fit in with the architecture of the building and is set back 15 feet from the property line along Olive Boulevard. The background of the sign will be dark and opaque, so that the sign area is the only area illuminated at night. 445 square feet of landscaping is provided around the base of the structure.



A condition of the ordinance approving the rezoning of both 10360 and 10420 Old Olive Street Road and authorized the conditional use permit for the multi-family dwelling included that a transit shelter shall be completed with a unique design and not include any signs except those providing transit route and fare subject to the Planning and Zoning Commissions approval, prior to final occupancy of the structure. The proposed bus shelter along Old Olive Street Road is an ADA compliant bus shelter that meets with the standard requirements of Metro. However, the proposal modifies the design for an artistically designed concept of an olive orchard shed, with the side panels include watercut glass panels in the form of an Olive tree and garden materials, as well as provide a greater degree of privacy for the apartment residents than a standard shelter. The proposed design is \$20,000 additional for such a shelter.



Location of new transit shelter



LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Office; Retail	“GC” Core Business District	Old Olive Street Road
South	Monsanto	“RO” Research and Office Park District	Olive Boulevard
East	Multi-Family Residential	“AR” Attached Single Family Residential District	NA
West	Retail, Commercial-Creve Coeur Pavilion	“CB” Core Business District	Pavilion Lane

COMPREHENSIVE PLAN REVIEW

The subject property is located in the Commerce Center Action Area of the Comprehensive Plan within the northwest quadrant of Olive Boulevard and Lindbergh Boulevard. The Comprehensive Plan does not provide much direction for this area but characterizes it as a series of underutilized older buildings on irregular lots. The vision for the Commerce Center includes capitalizing on the life science and bio-technical industries where retail shops, restaurants, and personal service business, particularly those providing services to the business and workers in the area, will be encouraged to develop in a small-scale, pedestrian-friendly environment within business parks (page 70).

The Residential Preservation and Economic Development Section state:

3. *Encourage the redevelopment of the area between Olive Boulevard and Old Olive west of Lindbergh Boulevard with uses that will serve and complement business park users and their employees. Improve the quality of this development through enforcement of the City’s Design Guidelines, and ensure that redevelopment plans include the “green line” park.*
4. *Upgrade the architectural quality of the building stock as businesses expand or redevelop.*

Transportation and Movement Section also includes:

3. *Add bus shelters where possible and appropriate*

The City’s Sign Regulations were revised in 2012 to address the content neutrality of signs, and to create simpler regulations and consistency through-out the code. As part of the revisions, ground signs were given a variety of sizes based on the size of the development to allow for tenant identification for multi-tenant buildings or multiple buildings together on one sign. Projects over five acres are allowed one monument sign of up to 12 feet in height and 40 square feet of sign area, provided that such signs are setback 15 feet from the public right-of-way.

The overall design of the proposed sign structure is in keeping with the overall intent of the Comprehensive Plan through the use of muted colors and consistent design with the Vanguard Apartment Building and the Pavilion Office Building, and the inclusion of a uniquely designed transit shelter along Old Olive Street Road, where the anticipated clients of the apartment complex will be those associated with the life-science industry in the area, meets with the goals and Objectives of the Comprehensive Plan in as much as this project can.

DESIGN GUIDELINES

The City’s Design Guidelines recommends that all signs are to be architecturally integrated and complementary to their surroundings in terms of size, shape, color, texture, and lighting. Signs are also to complement the overall design of the building and are not to be designed to be in visual competition with other signs in the area. As indicated earlier, the overall design of the sign

is in keeping with the architecture, color and shape, of the building, and sufficient amount of landscaping has been provided. By allowing for the two buildings to share sign area on one sign, versus having two smaller signs, limits the amount of visual clutter, and the signs from competing with one another.

SIGN REGULATIONS

As discussed earlier, the City revised the Sign Regulations to address the content neutrality of signs, and to create simpler regulations and consistency throughout the code. As part of the revisions, ground signs were increased based on the size of the development to allow for tenant identification. The change allowed for all properties in the commercially zoned districts over five acres to seek one monument sign of up to 12 feet in height and 40 square feet of sign area, provided that such signs are setback 15 feet from the public right-of-way, per the following:

SECTION 405.930 GENERAL PROVISION

G. *Miscellaneous Requirements.* All signs shall comply with the following general requirements:

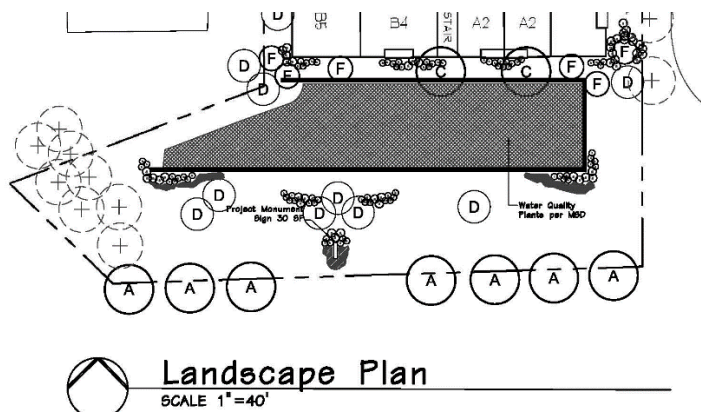
1. Sign faces. When a sign is allowed two (2) sign faces, the sign faces shall be parallel to one another and not more than fourteen (14) inches apart unless specifically authorized to deviate from this requirement by an applicable portion of this Article.
7. If a sign consists of a boxed display, the negative space must be dark and opaque, or clear and show the surface of the building facade.

SECTION 405.950: SIGNS IN NON-RESIDENTIAL DISTRICTS

C. *Low monument signs.*

4. A project or development with a site area of more than five (5) acres shall, by site development plan approval in accordance with Section 405.1080, be permitted a single low monument sign that contains not more than forty (40) square feet of sign area per sign face, with not more than two (2) sign faces, that is not more than twelve (12) feet in height, that is setback at least fifteen (15) feet from the right-of-way, and that is located a minimum of one hundred and fifty (150) feet from any other ground sign on other property on the same side of the street. The Zoning Administrator may authorize a variance from the separation requirement for good cause of up to fifty (50) lineal feet.
5. A landscaped area located around the base of the ground graphic equal to two and one-half (2.5) square feet for each square foot of ground graphic area allowed is required for all low monument signs.

All of the Sign Regulations have been met. The sign is setback 15 feet from the property line, is approximately 220 feet from the sign for the Creve Coeur Pavilion Center Development across from Pavilion Drive, and has the 458 square feet of landscaped area, where 200 square feet is required, and consistent with the landscape plan that was approved in Ordinance No. 5340, and shown below:



BUS SHELTER

As indicated above Condition 3, under Section 3 of Ordinance No. 5340 states that:

- 3. A transit shelter on the applicant's Old Olive Street Road frontage shall be completed prior to the issuance of a final certificate of occupancy for the principle structure, subject to the issuance of a building permit on the recommendation of the Planning and Zoning Commission. Said shelter shall be unique in design and not include any signs except those providing transit route and fare information. In the event that the transit authority refuses to authorize a transit shelter on the frontage of the applicant's property, the applicant shall not be held in violation of this ordinance.*

The transit shelter was never intended to be on the same scale or artistically designed as those that were part of a public art project for bonus coverage, or as part of the City's Art Committee projects, given the location and limited space. The applicant offered the upgrade to the project to provide for greater visual interest and a shelter, where the existing transit stop is an unsheltered bench.

Staff reviewed the proposal with the Art Committee at their meeting on December 16, 2015. The Art Committee felt that while the design was unique and designed for the site, it was simplistic when compared to the much more significant proposals generated for the public art projects along Olive Boulevard in front of the CVS and St. Luke's Urgent Care at 10550 Olive Boulevard, and in front of the Danforth Plant Science Center, and would not have been selected had it gone through the Art Committee's Public Art proposal/RFQ. However, it is important to note that those projects had a significantly larger, publicly funded budget, and has required significant engineering cost, and concerns on the overall ability to act as a shelter. Staff is of the opinion that the proposed design does meet with the intent of the condition of the Ordinance. However, it is up to the Commission Members to comment upon the aesthetic design of the structure.

RECOMMENDED CONDITION OF APPROVAL

If Commission members generally support both requests, staff recommends the following conditions for approval:

- The Applicant shall submit for a sign permit and provide structural information for the footing and foundation for the proposed sign, in substantial conformance with the "Monument Sign" Drawings, "Landscape Plan" and the "Site Plan" received December 2, 2015, as bound together and submitted in conjunction with Application #16-002.
- Sufficient legal documentation shall be reviewed and approved by the City Attorney providing for adequate sign area for both properties, consistent with the approved drawings, prior to the issuance of the sign permit.
- The Applicant shall submit a Building Permit application, as required by Article II of the Building Code for the bus shelter, as bound together and submitted in conjunction with Application #16-002.
- All landscaping shall be maintained per the approved Landscape Plan and any vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.

MOTION

The following is an example of an appropriate motion for this application:

“I move to approve Application #16-002 for the site development plan for the monument sign for the Vanguard Heights Apartment and Pavilion Office Center, and the unique designed transit shelter along Old Olive Street Road subject to the conditions contained in the staff report prepared for the meeting of January 4, 2016” (conditions may be added, eliminated, or modified by preceding motion).

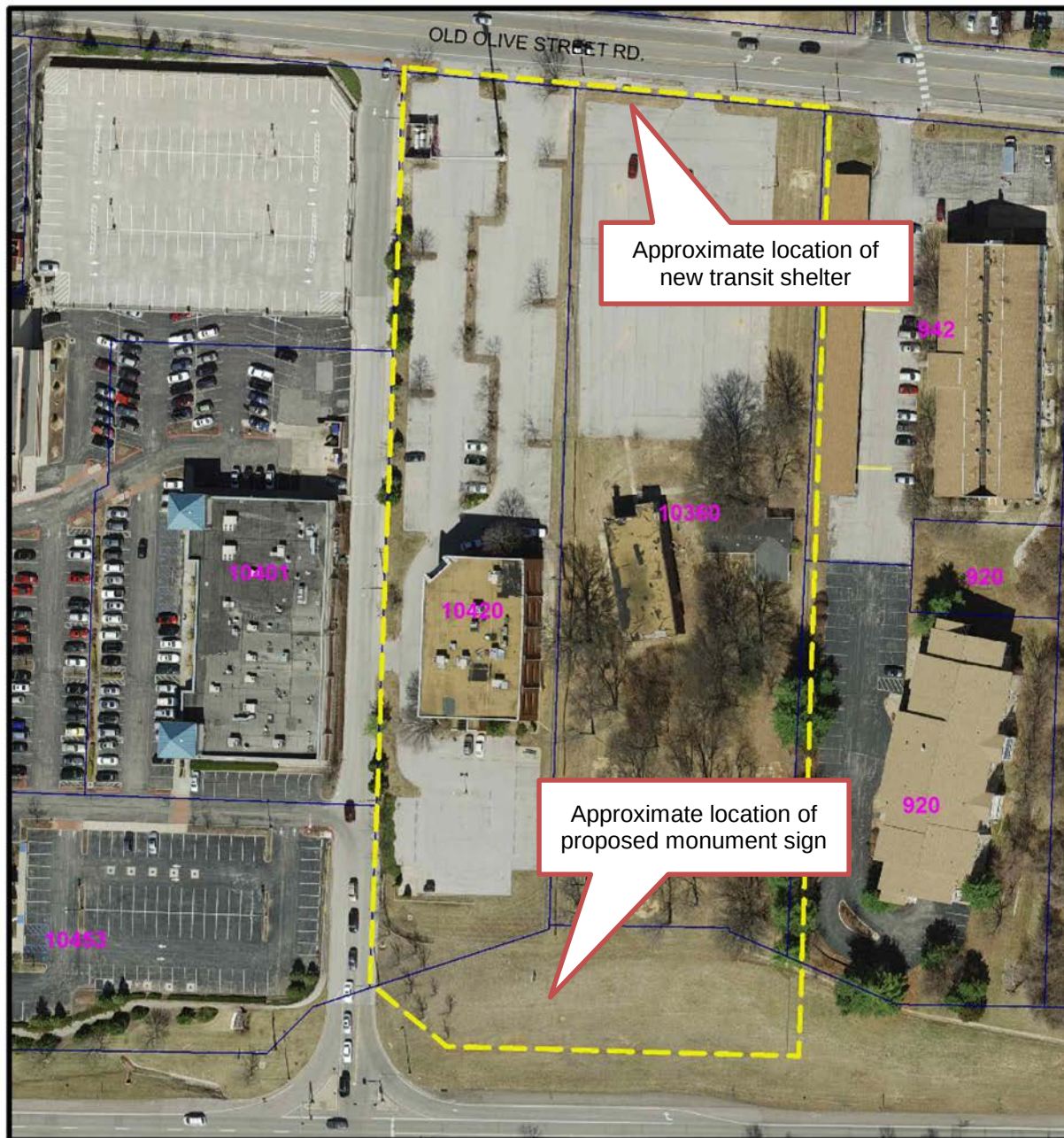
APPENDIX 1: COMPREHENSIVE PLAN

Included and attached by reference. See body of report for specific excerpts.

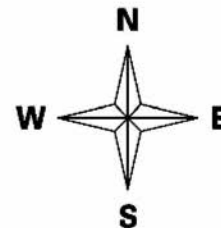
APPENDIX 2: ZONING CODE

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL PHOTO



-  The Vanguard Heights Apartment, 10360 Old Olive Street Road and Office Building at 10420 Old Olive Street Road
 Property Lines



APPENDIX 4: SITE PHOTOGRAPHS

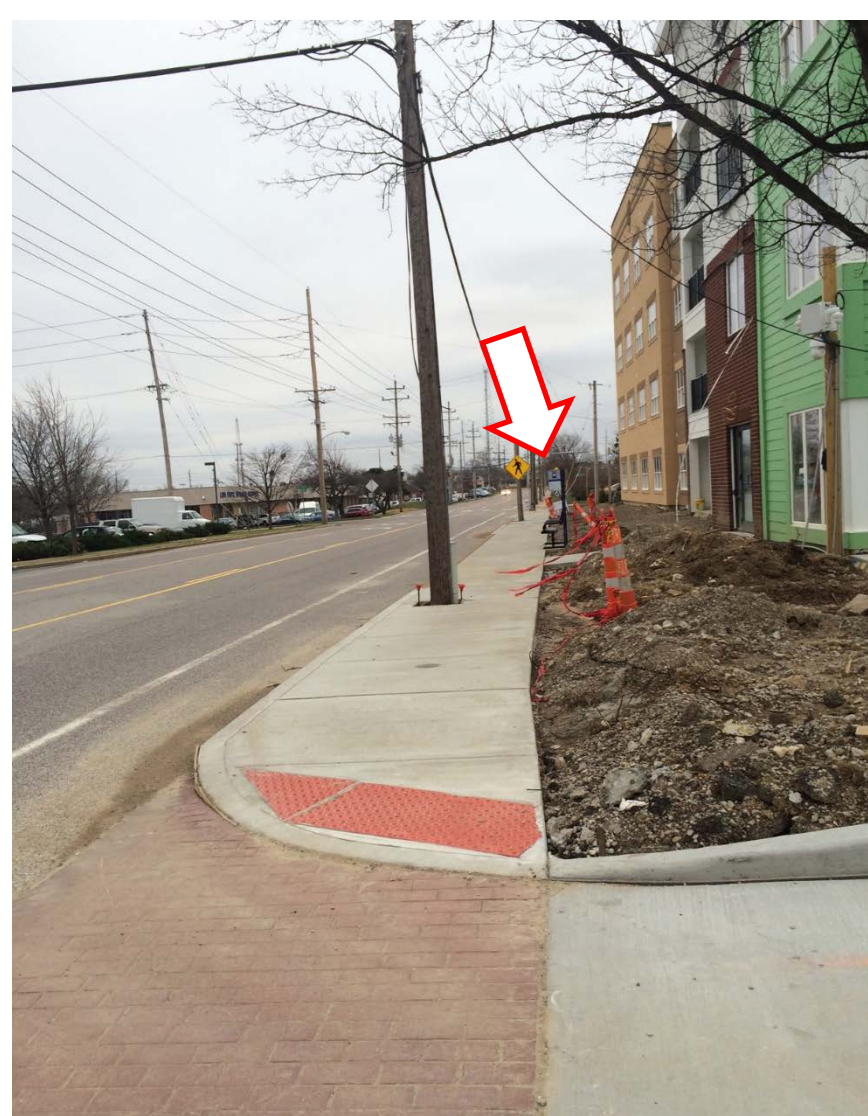
Photo Date: 12-29-2015



Description: View looking east along Olive Boulevard at the Vanguard building under construction, and at the temporary construction sign for the building. The temporary construction sign is in the approximate location as the proposed monument sign.



Description: View of the existing bus stop along Old Olive Street Road in front of the building under construction.



Description: View looking east along Old Olive Street Road at the location of the existing bus stop.

October 23, 2015

Whitney Kelly, AICP
City of Creve Coeur
300 N. New Ballas Rd.
Creve Coeur, MO 63141

Re: Monument Sign Application – Supporting Narrative
Vanguard Heights Apartments – 10362 Old Olive Street Road

Dear Ms. Kelly,

Please find attached our application for site plan approval of a freestanding monument sign at our new apartment complex named “Vanguard Heights.” The application is made pursuant to Section 405.950.C, Low Monument Signs, paragraph 4 and 405.1080, Site Concept, Site Development and Minor Site Plan Approvals. We believe this sign should be approved based upon the following:

- The combined site area of the two developments that will share this sign is 5.26 acres. The minimum required area is 5.0 acres.
- The sign does not exceed 12 feet in height or 40 square feet per face, with two parallel faces that are a maximum of 14 inches apart, all in conformance with the City’s Sign Ordinance.
- The sign meets the required 15-foot setback from the Olive Boulevard right-of-way.
- The orthogonal lines of the sign and its foundation mimic the geometric lines of the buildings.
- The use of red brick in the foundation references the red brick in both buildings.
- The colors of the sign are taken directly from the apartment building façades.
- The negative space of the sign is opaque and, as shown in the attached, will be dark at night.
- The adjacent landscape area far exceeds the 200 square feet required and does so with a mix of annual color, broadleaf evergreens and ornamental trees that surround the sign and provide a year-round backdrop between the sign and building.

With these features in mind, we hope you and the Planning and Zoning Commission will agree that the proposed sign meets with the requirements and the design objectives of the Zoning Code. As such, we respectfully request approval of the site plan so that a full sign permit may be obtained and the sign installed in time for the completion of the building expected in early 2016.

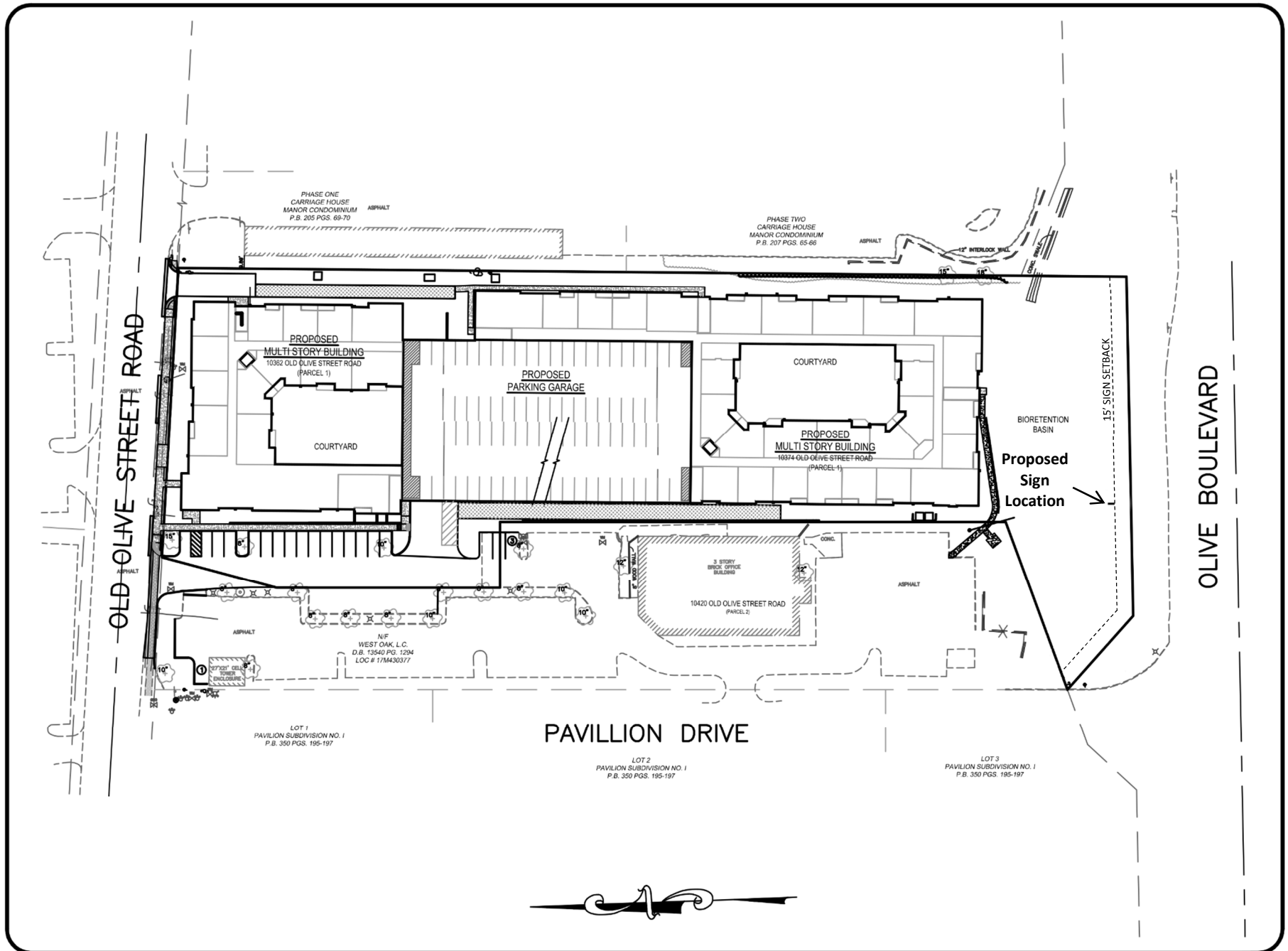
I will be in attendance at the Planning and Zoning Commission meeting and will be happy to answer any questions that you or the Commission members may have.

Sincerely,

David A. Braswell
Partner

Attachments: Application
Supporting Graphics

VANGUARD CREVE COEUR MONUMENT SIGN APPLICATION



KEY MAP



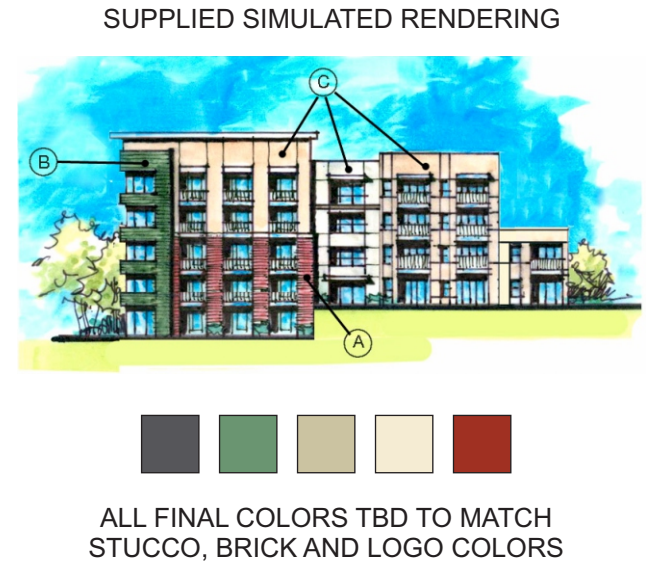
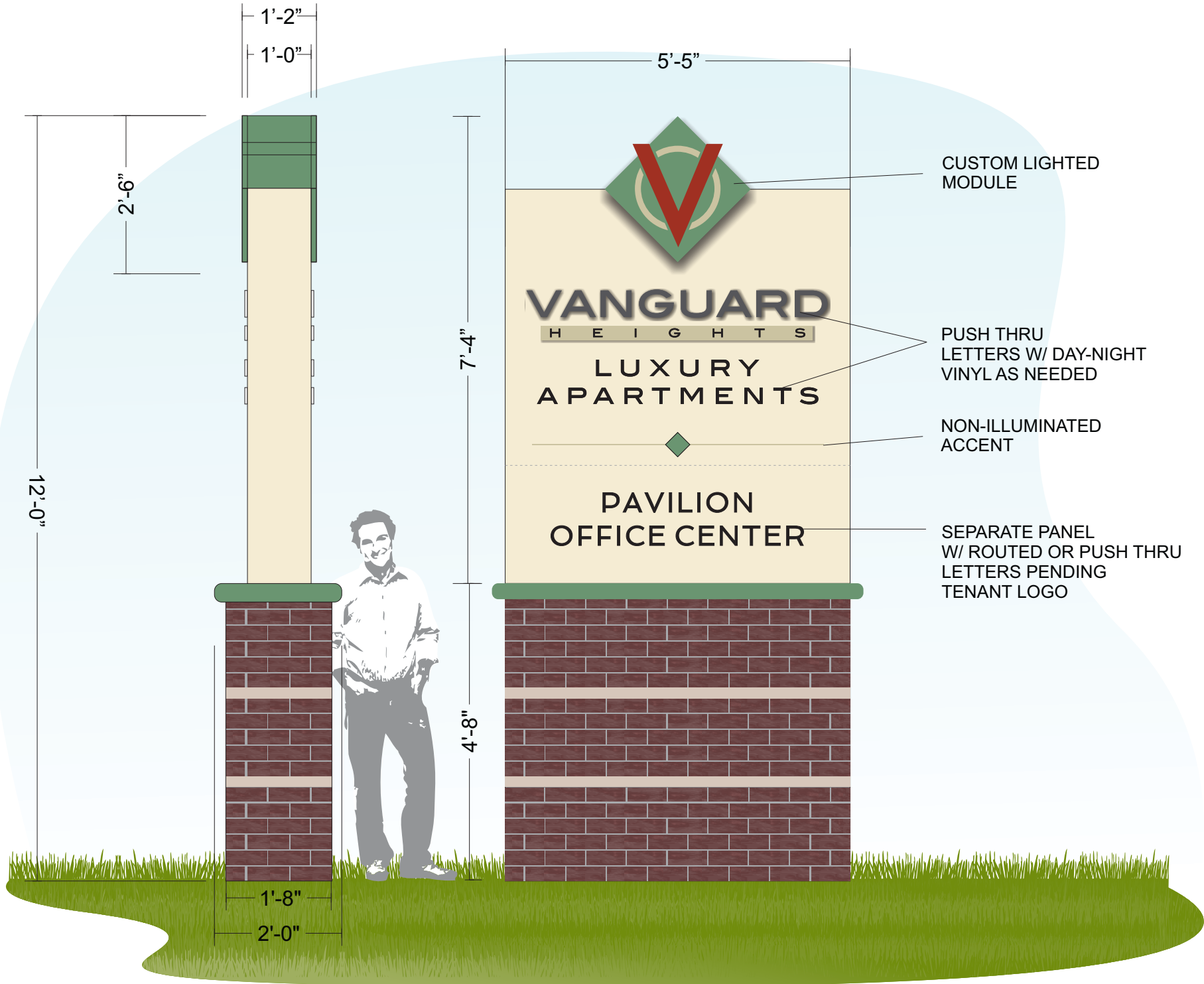
1818 HWY. M
BARNHART, MO 63012
PH: 636-464-0200
FAX: 636-464-9990
WWW.PIROSSIGNS.COM
GRAPHICS@PIROSSIGNS.COM

CUSTOMER
Covington Realty Partners
JOB LOCATION
135 N. Meramec Ave Suite 500
St. Louis, MO 63105
CONTACT
Paul
PROJECT
Monument Sign
SALES PERSON
Rhonda Kassen
DATE
7-22-15
RENDERING #
15-1116-2
SCALE
Noted
DRAWN BY
Eric Irvin
SAVED AS
Vanguard Monument

REVISION DATE
102715 DMF
REVISION(S) D
A. DOWNSIZED TO MAKE FIT 40 SQ FT
B. MADE CORNERS SQUARED INSTEAD OF ROUND.
C. MADE INTERNALLY ILLUMINATED AND CALLED OUT SOME REQUESTED SPECS.
D. REDUCED O.A. CABINET WIDTH TO 14", MAIN CABINET DOWN TO 12" WIDE AND MAIN CABINET DOWN TO LOGO CABINET POINTS.

☐ APPROVED AS IS
☐ APPROVED AS NOTED
☐ REVISE & RESUBMIT

INITIALS _____
THIS PROOF IS APPROVED AS IS. NO WORK SHALL BEGIN UNTIL PIROS RECEIVES A SIGNED COPY. ANY CHANGES MAY RESULT IN A CHANGE IN THE PRICE QUOTED.
THIS DRAWING IS COPYRIGHT PROTECTED AND IS SOLE PROPERTY OF PIROS SIGNS INC. AND HAS BEEN PREPARED FOR YOUR VIEWING ONLY. THIS DRAWING MAY NOT BE REPRODUCED, DUPLICATED OR CONSTRUCTED WITHOUT WRITTEN PERMISSION OR PURCHASE FROM PIROS SIGNS INC.



Monument Sign

Scale: 1/2"=1'-0"

FABRICATE AND INSTALL 1 DOUBLE SIDED MONUMENT SIGN TO MATCH BUILDING
• INTERNALLY ILLUMINATED
• BRICK BASE CONSTRUCTED BY CLIENT



THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.



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SCALE
Noted
DRAWN BY
Eric Irvin
SAVED AS
Vanguard Monument

REVISION DATE
8-18-15
REVISION(S) A
A. DOWNSIZED TO MAKE FIT 40 SQ
FT.



☐ APPROVED AS IS
☐ APPROVED AS NOTED
☐ REVISE & RESUBMIT

INITIALS _____
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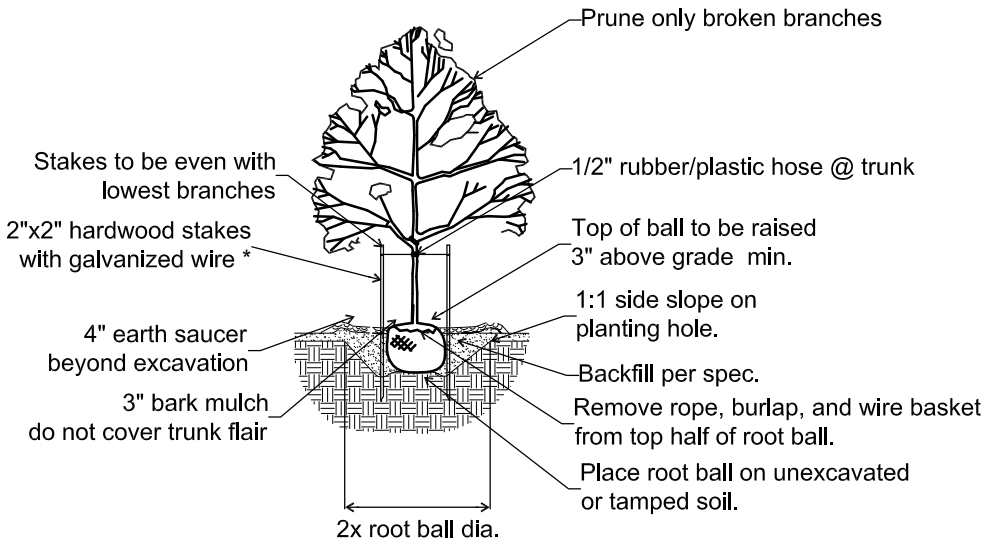
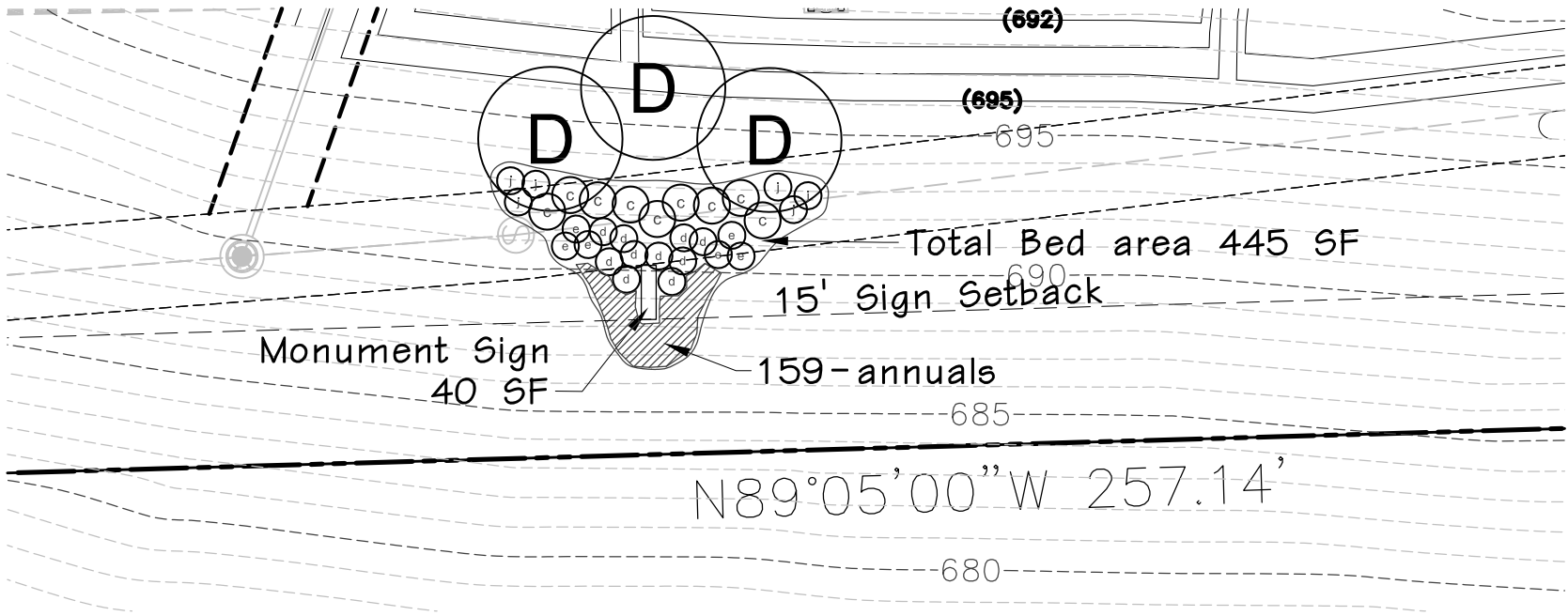
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.



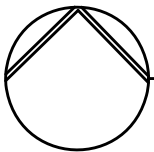
Monument Sign

Scale: 1/2"=1'-0"

SIMULATED NIGHT VIEW. ACTUAL APPEARANCE MAY VARY.



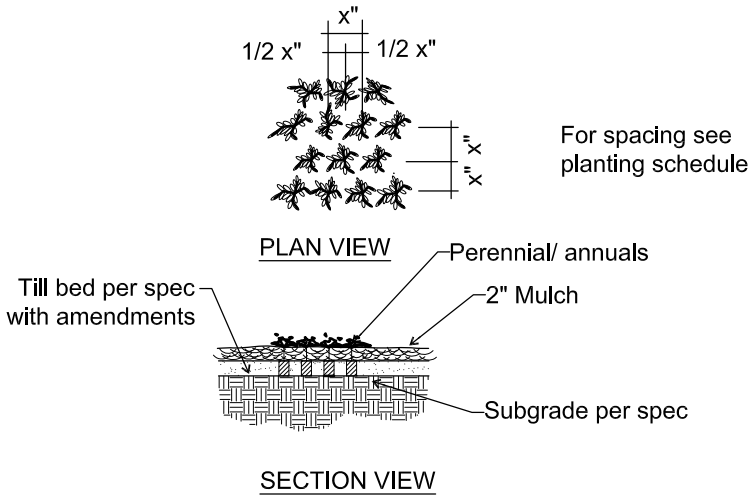
DECIDUOUS TREE PLANTING



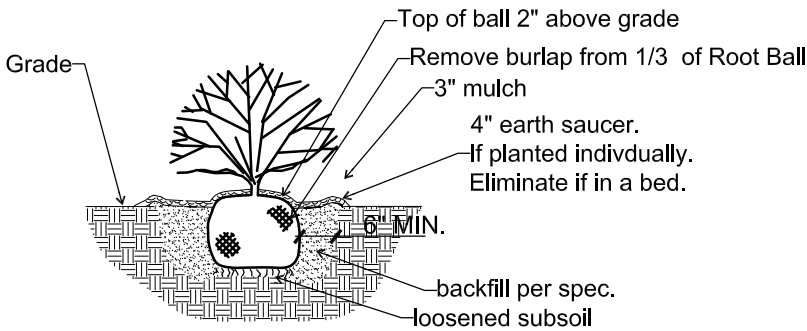
Sign Location/Landscape Plan

SCALE 1"=20'

Landscape area required: 80 sf x 2.5 = 200 sf
Landscape area provided: 458 sf



TYPICAL PERENNIAL PLANTING



SCARIFY ROOT BALL OF ALL CONTAINER STOCK

TYPICAL SHRUB PLANTING

PLANTING SCHEDULE					
SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
D	3	Cercis canadensis	Eastern Redbud	2.5"	B&B
c	9	Ilex x meserveae 'Hachfee'	Castle Spire Holly	3-4'	
d	10	Ilex glabra 'Shamrock'	Shamrock Inkberry	30-36"	
e	6	Spiraea x bumalda 'Grispa'	Crisp Leaf Spirea	18-24"	
j	6	Itea virginica 'Little Henry'	Little Henry Itea	18-24"	

Revisions:

Date	Description	No.

Vanguard at Creve Coeur
Creve Coeur
Mo. 63141
Date: 10/7/2015
Job Number: 123,003

Douglas A. DeLong, Landscape Architect LA-81

eLong
andscape
Architecture, LLC
7620 West Bruno Ave.
St. Louis, MO 63117
(314) 346-4856
delong-la@gmail.com
Missouri State Certificate of Authority: #2013000145

3811 McDonald Avenue
 St. Louis, MO, 63116
 314 306-1044
DAVID MARKHAM ALLEN davidmarkhamallen@yahoo.com

Proposal for Covington Realty Partners

Old Olive Road Bus Shelter

The accompanying drawing depicts a fully ADA compliant bus shelter composed of durable materials and designed for ease of maintenance. The conceptual underpinning of the design is an orchard shed, in this case, an olive orchard shed.

This aesthetically unique shelter provides weather protection in line with other bus shelters throughout the St. Louis region. It provides moderate protection from the wind while still allowing waiting passengers' clear line-of-sight for approaching buses as well as visual awareness of the surrounding area. It has roof overhangs to limit rain from blowing into the shelter and with a solid roof will provide more shade than most similar sized shelters.

It is large enough to easily accommodate a wheel chair and exceeds the ADA space requirement for that purpose. The Ipe wood bench is one of the hardest woods on the planet and will be warm in the winter and cool in the summer, while being extremely durable and vandal resistant. There is no glass in this shelter. Glass shelters are high maintenance to keep clean and are prone to vandalism on a continuing basis. The two vertical "sides" depicted here are made from waterjet-cut aluminum sheet with a rough ground finish. Any vandal etching will be easily removed with sand paper or at most, a grinder.

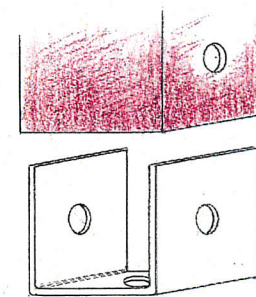
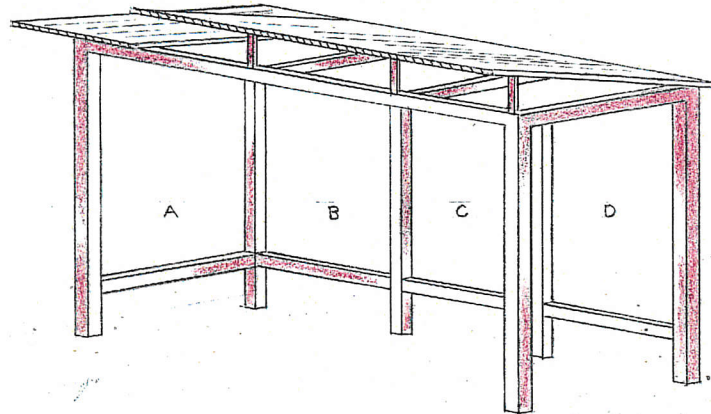
The basic structure of the shelter is made from 4'x4' Cor-Ten steel. A naturally self-patinated alloy that again, is low maintenance. This material was selected as an aesthetic contrast to the light silver-toned aluminum. The roof is made of galvanized corrugated steel, another low maintenance but durable material.

Materials

Cor-Ten Steel frame
 3/16" Aluminum water-jet cut side panels
 Galvanized corrugated steel roofing
 Ipe wood bench seating rails
 Stainless steel hardware and fasteners used throughout

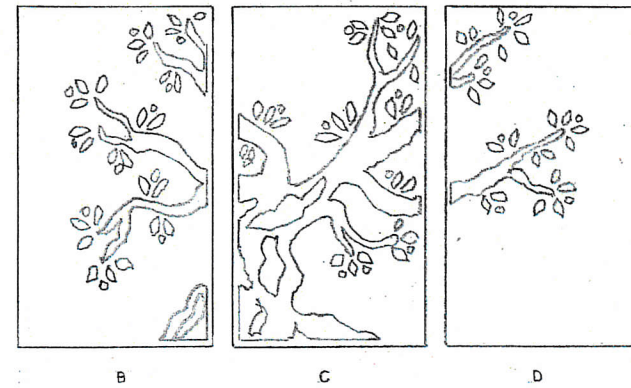
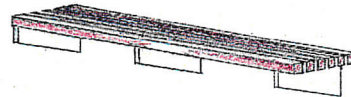
ORCHARD SHED

GALVANIZED
CORRUGATED ROOF



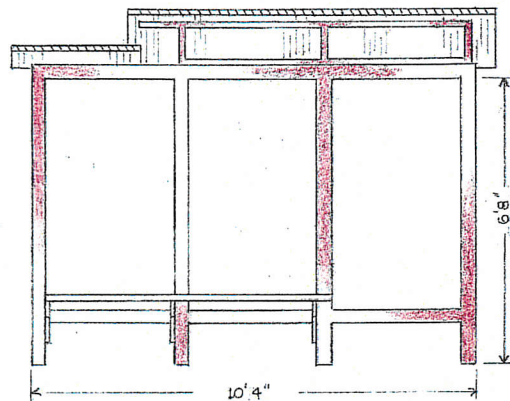
THRU-BOLT
FRAME TO BRACKET
EXPANSION ANCHOR
TO CONCRETE PAD
PER ENGINEER

PIPE WOOD BENCH

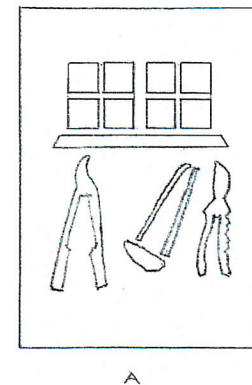
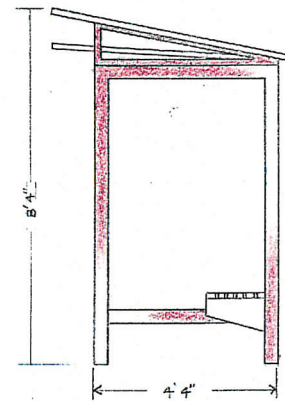


ALUMINUM WATER JET CUT PANELS

COR-TEN STEEL FRAME



OLD OLIVE ROAD BUS SHELTER



© DAVID ALLEN 2015

Chapter
4

CURB-SIDE FACTORS

ADA—Accessibility Guidelines

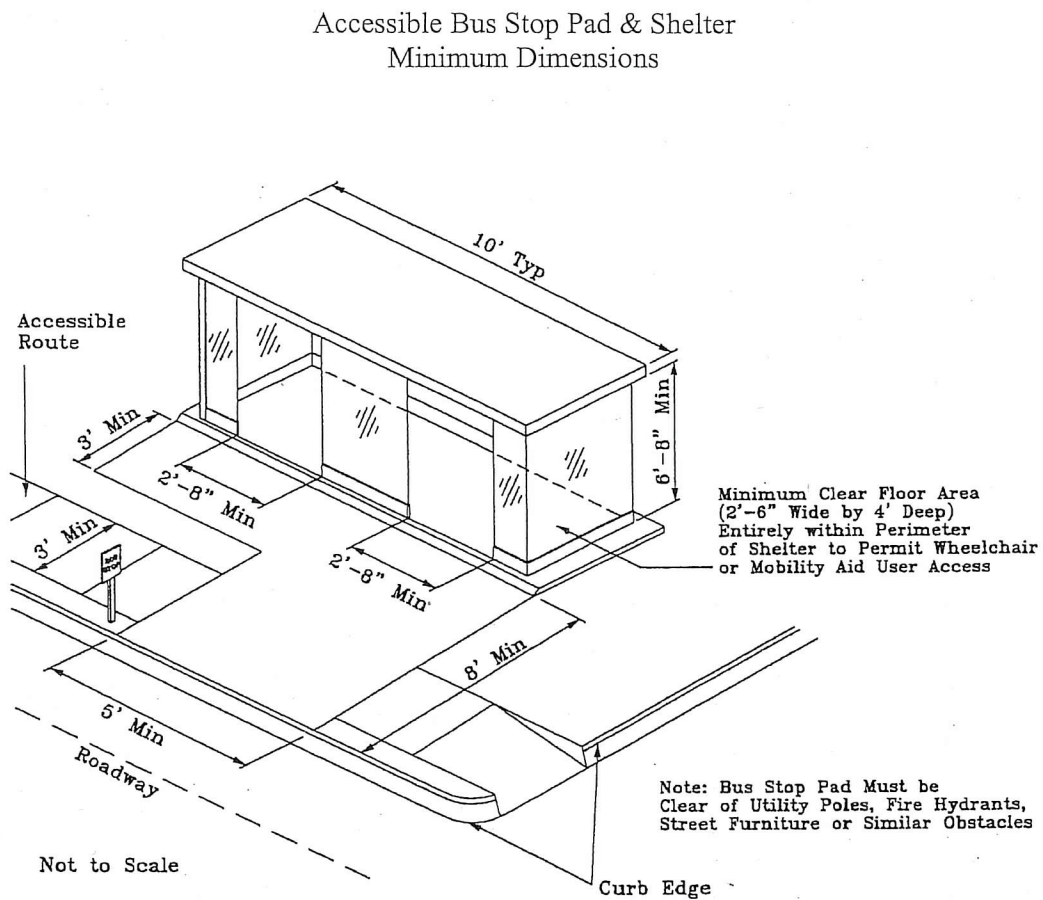
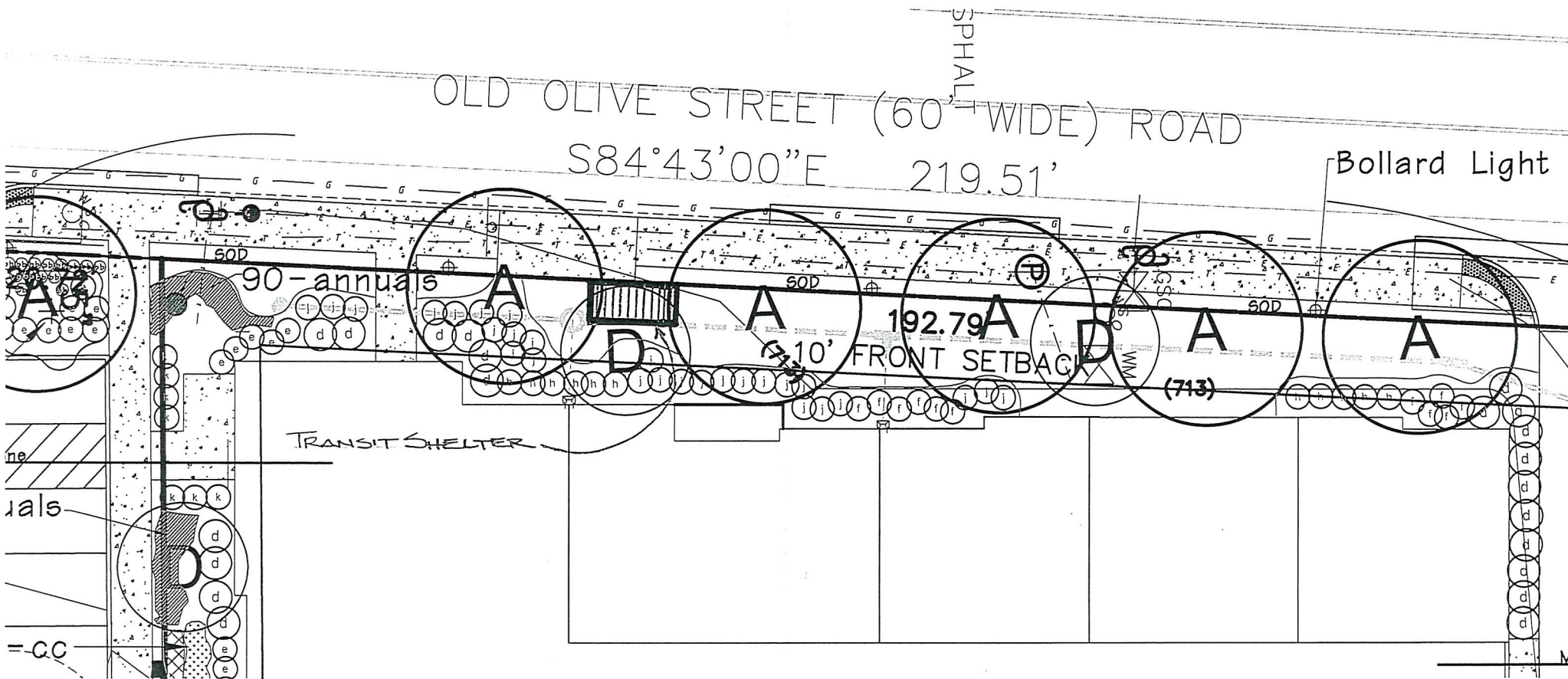


Figure 28. Shelter Design Example to Meet ADA Requirements.



Olive Street Road Frontage

BILL NO. 5456ORDINANCE NO. 5340

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF
CREVE COEUR TO REZONE PROPERTY ADDRESSED AS 10360 AND
10420 OLD OLIVE STREET ROAD FROM GC (GENERAL COMMERCIAL)
DISTRICT TO CB (CORE BUSINESS) AND APPROVING A CONDITIONAL
USE PERMIT FOR A MULTI-FAMILY DEVELOPMENT EXCEEDING 20
DWELLING UNITS PER ACRE ON THE PROPERTY ADDRESSED AS 10360
OLD OLIVE STREET ROAD.**

WHEREAS, an application was made by David Braswell, of Covington Realty Partners to rezone 10360 and 10420 Old Olive Street Road from GC (General Commercial) to CB (Core Business) zoning district, and to approve a conditional use permit for a multi-family development exceeding 20 dwelling units per acre for an apartment complex known as the The Vanguard at Creve Coeur at 10360 Old Olive Street Road; and

WHEREAS, in accordance with Section 405.1080 of the Zoning Ordinance, the applicant has submitted a site development plan for the subject properties, addressed as 10360 and 10420 Old Olive Street Road, to the Division of Planning; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, April 1st, 2013, beginning at 7:00 p.m. or immediately following the close of the previous public hearing, on said application; and

WHEREAS, notice of said public hearing had been previously published at least 15 days prior to the hearing, in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur and otherwise posted and published in accordance with the Zoning Ordinance; and

WHEREAS, the City of Creve Coeur Board of Adjustment granted variances on May 16, 2013 allowing all of the parking above ground and the setback from Olive Boulevard to exceed 80 feet; and,

WHEREAS, the Planning and Zoning Commission reviewed and, by a 6-0 vote, recommended approval of the rezoning and conditional use permit, subject to conditions, at its meeting on October 7, 2013; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the City Council being fully informed finds that rezoning the property would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort and convenience of the citizens of the City of Creve Coeur and in the public interest and in good zoning practice; and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Will contribute to and promote the community welfare and convenience at the specific location.
2. Will not cause substantial injury to the value of neighboring property.

BILL NO. 5456ORDINANCE NO. 5340

3. Meets the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans and complies with other applicable zoning district regulations and provisions of this Chapter, unless good cause exists for deviation therefrom.
4. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on community facilities or services.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, St. Louis County, Missouri, as follows:

Section 1: The Official Zoning Map of the City of Creve Coeur shall be amended to rezone the property addressed as 10360 and 10420 Old Olive Street Road from GC (General Commercial) to CB (Core Business) zoning district, subject to the conditions stated herein, which property is more specifically described as follows:

Parcel 1

A TRACT OF LAND IN THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 45 NORTH, RANGE 5 EAST, CITY OF CREVE COEUR, ST. LOUIS COUNTY MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF PHASE 1 OF CARRIAGE HOUSE MANOR CONCOMINIUM AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 205 PAGE 69 OF THE ST. LOUIS COUNTY RECORDS, SAID POINT ALSO BEING ON THE SOUTH LINE OF OLD OLIVE STREET (60' WIDE) ROAD; THENCE DEPARTING THE SOUTH LINE OF OLD OLIVE STREET ROAD, WITH THE WEST LINE OF SAID PHASE 1 OF CARRIAGE HOUSE MANOR AND ITS DIRECT PROLONGATION, SOUTH 02°33'25" WEST 717.36 FEET TO A POINT; THENCE NORTH 89°10'06" WEST 262.20 FEET TO A POINT; THENCE NORTH 43°14'28" WEST 70.62 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO WEST OAK, LLC RECORDED IN DEED BOOK 13540 PAGE 1294 OF THE ST. LOUIS COUNTY RECORDS; THENCE WITH THE SOUTH LINE OF WEST OAK, LLC TRACT, NORTH 71°45'37" EAST 134.54 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE WITH THE EAST LINE OF SAID WEST OAK, LLC TRACT, NORTH 02°03'00" EAST 383.03 FEET TO A POINT; THENCE DEPARTING SAID EAST LINE, NORTH 87°57'00" WEST 50.00 FEET TO A POINT; THENCE NORTH 02°03'00" EAST 169.00 FEET TO A POINT; THENCE NORTH 17°04'08" EAST 90.00 FEET TO A POINT ON THE AFORESAID SOUTH LINE OF OLD OLIVE ROAD; THENCE WITH THE SAID SOUTH LINE BEING 30 FEET SOUTH OF AND PARALLEL TO THE CENTERLINE THEREOF, SOUTH 84°43'00" EAST 219.51 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.60 ACRES, AS CALCULATED FROM AVAILABLE RECORD INFORMATION AND SUBJECT TO A BOUNDARY SURVEY.

Parcel 2

A TRACT OF LAND IN THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 45 NORTH, RANGE 5 EAST, CITY OF CREVE COEUR, ST. LOUIS COUNTY MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF PHASE 1 OF CARRIAGE HOUSE MANOR CONCOMINIUM AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 205 PAGE 69 OF THE ST. LOUIS COUNTY RECORDS, SAID POINT ALSO BEING ON THE SOUTH LINE OF OLD OLIVE STREET (60' WIDE) ROAD;

BILL NO. 5456ORDINANCE NO. 5340

THENCE WITH THE SAID SOUTH LINE BEING 30 FEET SOUTH OF AND PARALLEL TO THE CENTERLINE THEREOF, NORTH 84°43'00" WEST 219.51 FEET TO THE ACTUAL POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND; THENCE DEPARTING SOUTH LINE OF OLD OLIVE STREET ROAD, SOUTH 17°04'08" WEST 90.00 FEET TO A POINT; THENCE SOUTH 02°03'00" WEST 169.00 FEET TO A POINT; THENCE SOUTH 87°57'00" EAST 50.00 FEET TO A POINT; THENCE SOUTH 02°03'00" WEST 383.03 FEET TO A POINT; THENCE SOUTH 71°45'37" WEST 134.54 FEET TO A POINT ON THE EAST LINE OF LOT 3 OF PAVILION NO. 1 AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 350 PAGE 195 OF THE ST. LOUIS COUNTY RECORDS; THENCE WITH THE EAST LINE OF SAID LOT 3 AND ITS DIRECT PROLONGATION, NORTH 02°01'22" EAST 691.25 FEET TO A POINT ON THE SOUTH LINE OF AFORESAID OLD OLIVE STREET ROAD; THENCE WITH THE SAID SOUTH LINE BEING 30 FEET SOUTH OF AND PARALLEL TO THE CENTERLINE THEREOF, SOUTH 84°43'00" EAST 100.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.66 ACRES, AS CALCULATED FROM AVAILABLE RECORD INFORMATION AND SUBJECT TO A BOUNDARY SURVEY.

Section 2: A Conditional Use Permit is authorized to be issued for the property described as Parcel 1 (10360 Old Olive Street Road) in Section 1 hereof and pursuant to Section 4 hereof for the construction and operation of a multi-family residential complex with a gross density of 48.33 units per acre and no more than 174 individual apartments.

Section 3: As required by Section 405.1080 of the Zoning Ordinance, the approval of said rezoning request and conditional use permit are subject to the property being developed in accordance with the site development plan, as further revised as required and approved by the City of Creve Coeur, and subject to the following additional conditions:

1. The applicant is required to submit a Site Improvement Permit application, showing all exterior improvements, as required by Section 420.070 of the Land Disturbance Code. The permit application shall be in substantial conformance with the "Site Concept Plan/Site Improvements," last dated September 4, 2013, and the "Concept Landscape Plan" presented on October 9, 2013 as submitted in conjunction with Application #13-003 by David Braswell, of Covington Realty Partners, with changes regarding Old Olive Street Road frontage as presented on October 28, 2013.
2. The applicant is required to submit a Building Permit application, as required by Article II of the Building Code. Exterior elevations, courtyard landscapes, roof top deck and the club house entrance shall be in substantial conformance with the elevation drawings titled "The Vanguard at Creve Coeur," received September 27, 2013, and Courtyard Landscape Plans/Signage," presented on October 28, 2013, as bound together and submitted in conjunction with Application #13-003 by David Braswell, of Covington Realty Partners.
3. A transit shelter on the applicant's Old Olive Street Road frontage shall be completed prior to the issuance of a final certificate of occupancy for the principle structure, subject to the issuance of a building permit on the recommendation of the Planning and Zoning Commission. Said shelter shall be unique in design and not include any signs except those providing transit route and fare information. In the event that the transit authority refuses to authorize a transit shelter on the frontage of the applicant's property, the applicant shall not be held in violation of this ordinance.
4. Any trash enclosures located outside of the principle buildings and parking garage shall be constructed of materials that are consistent with the building and composed in a similar fashion.

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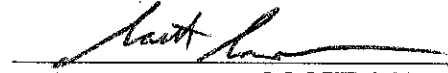
5. The existing buildings at 10360 Old Olive Street Road shall be demolished within one year of the approval of the rezoning, or prior to the issuance of any building permit, whichever ever comes first.
6. An underground irrigation system shall be installed and maintained to serve all new landscaped areas.
7. Vegetation that is totally or predominantly dead and/or disfigured due to disease or injury shall be replaced as needed and in a prompt and workmanlike manner as dictated by accepted horticultural standards.
8. All plant materials on adjacent properties shall be protected from physical damage within the drip-line of the tree (the area directly under all of the branches) through the installation of a temporary construction fence, unless otherwise approved by the adjacent property owners. No materials shall be stored and no vehicles may be operated or parked within the protected area..
9. All signs and banners shall be in conformance with Article VII, Sign Regulations, of the Zoning Code.
10. Prior to issuance of any building permits related to the approved plans, the property owner shall record cross-access easements between "Parcel 1" and "Parcel 2" on the Site Concept Plan/Site Improvements" plan in a form approved by the City Attorney.
11. The applicant shall provide written proof of ownership of any former Olive Boulevard right-of-way acquired from the Missouri Department of Transportation (MoDOT) prior to issuance of any building permits for the project approved herein.
12. The applicant shall provide written acceptance by MoDOT of the proposed Old Olive Street Road access and any modifications to the roadway prior to the issuance of any building permits for the project approved herein.
13. Any future enlargement, extension, expansion or alteration in the use of the structures or site must be approved pursuant to Section 405.1080 of the Zoning Code.
14. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
15. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
16. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the approved Site Development Plan for the property and the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 4: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 3 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

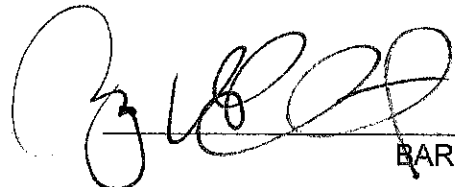
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Section 5: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter and the conditions stated above.

ADOPTED THIS 28th DAY OF October, 2013.


SCOTT SAUNDERS
PRESIDENT OF CITY COUNCIL

APPROVED THIS 28th DAY OF October, 2013.


BARRY GLANTZ
MAYOR

ATTEST:


DEBORAH RYAN, MPCC
CITY CLERK